

Health and Human Services Appropriations Bill House File 2526

Final Action

March 27, 2010

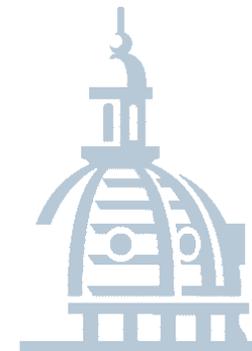
An Act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, and providing effective, retroactive, and applicability date provisions.

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

Fiscal Services Division

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EXECUTIVE SUMMARY HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

HOUSE FILE 2526

FUNDING SUMMARY

- Appropriates a total of \$942.6 million from the General Fund and 6,961.4 FTE positions to the Department on Aging, Departments of Public Health, Human Services, and Veterans Affairs, and the Iowa Veterans Home. This is a decrease of \$180.1 million and a decrease of 29.3 FTE positions compared to estimated net FY 2010.
- Appropriates a total of \$508.0 million from other funds. This is an increase of \$47.9 million compared to estimated net FY 2010. This includes:
 - \$90,000 from the Merchant Marine Bonus Fund to supplement the Veteran County Grant Program. This is a new appropriation for FY 2011. (Page 16, Line 22)
 - \$155.2 million from the Temporary Assistance to Needy Families (TANF) Fund to the Department of Human Services. This is an increase of \$11.0 million compared to estimated net FY 2010. (Page 16, Line 33 through Page 22, Line 22)
 - \$107.6 million from the Health Care Trust Fund to the DHS. This is an increase of \$7.0 million compared to estimated net FY 2010. The entire FY 2011 appropriation from the Health Care Trust Fund goes to Medicaid. Other FY 2010 appropriations are transferred to the General Fund for FY 2011. (Page 27, Line 26)
 - \$48.3 million from the Senior Living Trust Fund (SLTF) to the Department on Aging, the Departments of Human Services, and the Iowa Finance Authority. This is an increase of \$20.1 million compared to estimated net FY 2010. (Page 65, Line 34 through Page 68, Line 8)
 - \$4.0 million from the Pharmaceutical Settlement Account to Medical Contracts. This is an increase of \$2.7 million compared to estimated net FY 2010. (Page 68, Line 9)
 - \$147.3 million from the IowaCare Account to the University of Iowa Hospitals and Clinics and its physicians, Polk County Broadlawns Medical Center, federally qualified health centers, and certain IowaCare nonparticipating providers. This is an increase of \$27.0 million compared to estimated net FY 2010. (Page 68, Line 19 through Page 73, Line 9)
 - \$5.2 million from the Health Care Transformation Account (HCTA) to the DHS. This is a decrease of \$200,000 compared to estimated net FY 2010. (Page 73, Line 10 through Page 74, Line 24)
 - \$1.3 million from the Medicare Fraud Account of the Department of Inspections and Appeals (DIA). This is a new appropriation for FY 2011. (Page 74, Line 25)
 - \$13.9 million from the Quality Assurance Trust Fund. This is a new appropriation for FY 2011. (Page 75, Line 1)
 - \$7.0 million from the Iowa Comprehensive Petroleum Underground Storage Tank Fund. These are new appropriations for FY 2011. (Page 75, Line 29 through Page 78, Line 21)
 - \$18.1 million from the federal American Recovery and Reinvestment Act (ARRA) funding for the child care subsidy. (Page 93, Line 22)
- Increases the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million. (Page 90, Line 2)

**EXECUTIVE SUMMARY
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FY 2010 SUPPLEMENTAL FUNDING

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- The DHS received \$100,163 and the DPH received \$4.4 million in FY 2010 supplemental funding in SF 2366 (FY 2010 Appropriations Adjustments Act) that are not included in the calculations in this Bill. Makes the following General Fund or other fund changes for FY 2011:
 - **Department on Aging:** An increase of \$201,000 and a decrease of 1.5 FTE positions compared to estimated net FY 2010 with a change in funding source from the Health Care Trust Fund to the General Fund for that amount. (Page 1, Line 8)
 - **Department of Public Health:** An increase of \$7.4 million and 1.1 FTE positions compared to estimated net FY 2010. There are additional funds appropriated from the Underground Storage Tank Fund. The significant changes result from a change in funding source from the Health Care Trust Fund to the General Fund and include:
 - An increase of \$3.2 million and no change in FTE position for Addictive Disorders. (Page 3, Line 24)
 - An increase of \$711,000 and no change in FTE positions for Healthy Children and Families. (Page 6, Line 23)
 - An increase of \$1.1 million and 1.1 FTE positions for Chronic Conditions. (Page 7, Line 28)
 - An increase of \$1.8 million and no change in FTE positions for Community Capacity. (Page 8, Line 33)
 - An increase of \$535,000 for Healthy Aging. (Page 13, Line 19)
 - **Department of Human Services:** A decrease of \$175.9 million and a decrease of 3.4 FTE positions compared to estimated net FY 2010. There are additional funds appropriated from the Underground Storage Tank Fund for general operations. The General Fund changes include:
 - An increase of \$602,000 for the Family Investment Program. (Page 25, Line 7)
 - A decrease of \$201,000 for the Child Support Recovery Unit. (Page 26, Line 20)
 - A decrease of \$197.5 million for the Medical Assistance Program. (Page 27, Line 34)
 - A decrease of \$2.6 million for Medical Contracts. (Page 35, Line 26)
 - An increase of \$1.8 million for State Supplementary Assistance. (Page 36, Line 6)
 - An increase of \$10.5 million for the State Children's Health Insurance Program. (Page 37, Line 2)
 - A decrease of \$222,000 for the Child Care Assistance Program. (Page 37, Line 23)
 - An increase of \$3.1 million and no change in FTE positions for the two juvenile institutions. (Page 40, Lines 1 and 6)
 - A decrease of \$1.9 million for Child and Family Services. (Page 40, Line 29)
 - An increase of \$462,000 for the Adoption Subsidy Program. (Page 47, Line 5)
 - A decrease of \$355,000 for the Family Support Subsidy Program. (Page 48, Line 14)
 - An increase of \$1.9 million and no change in FTE positions for the four Mental Health Institutes. (Page 49, Line 16 through Page 50, Line 24)

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**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- A decrease of \$1.3 million and no change in FTE positions for the two State Resource Centers. (Page 50, Line 31 and Line 34)
- An increase of \$1.0 million for the State Cases Program. (Page 51, Line 35)
- An increase of \$458,000 and no change in FTE positions for the Sexual Predator Commitment Program. (Page 55, Line 1)
- An increase of \$2.4 million and no change in FTE positions for Field Operations and General Administration. (Page 55, Line 24 and Page 56, Line 2)
- ***Veterans Affairs:*** A decrease of \$90,000 and a decrease of 25.4 FTE positions from the General Fund for the Department of Veterans Affairs compared to estimated net FY 2010. This includes:
 - A decrease of \$90,000 for the County Veterans Grant Program. This same amount is provided by an appropriation from the Merchant Marine Bonus Fund for FY 2011. (Page 15, Line 18 and Page 16, Line 22)
 - Transfers \$1.0 million from the Veterans Home to the DHS Field Operations budget unit to supplement that appropriation. (Page 88, Line 5)
- ***University of Iowa and additional providers within the IowaCare Program:***
 - Provides a new contingent appropriation of \$12.0 million for the physicians associated with the University of Iowa Hospitals and Clinics. (Page 70, Line 12)
 - Provides a new contingent appropriation of \$6.0 million for the federally qualified health centers that are part of the IowaCare regional provider network. (Page 72 Line 17)
 - Provides a new contingent appropriation of \$2.0 million for nonparticipating providers of the IowaCare Program. (Page 73, Line 1)
- ***Nursing Facilities:***
 - Appropriates \$13.9 million from the Quality Assurance Trust Fund to the DHS with an allocation of \$7.5 million to supplement nursing facility reimbursements. (Page 75, Line 1)
- ***Appropriations from the Iowa Comprehensive Petroleum Underground Storage Tank Fund:***
 - \$635,000 to the Department of Public Health, including:
 - \$500,000 for substance abuse treatment and prevention. (Page 76, Line 4)
 - \$20,000 for food costs for those with phenylketonuria (PKU). (Page 76, Line 9)
 - \$15,000 for the University of Iowa Child Health Specialty Clinics. (Page 76, Line 12)
 - \$100,000 for the State Poison Control Center. (Page 76, Line 14)
 - \$6.4 million to the DHS, including:
 - \$600,000 for juvenile delinquent graduated sanction services. (Page 76, Line 20)
 - \$200,000 for the Exceptional Children Center in Polk County. (Page 76, Line 23)
 - \$25,000 for the Four Oaks Aspergers Syndrome Program in Linn County. (Page 76, Line 29)
 - \$100,000 for a child protection center in Black Hawk County. (Page 77, Line 4)
 - \$100,000 for the Children-at-Home Program. (Page 77, Line 10)
 - \$250,000 for child support recovery. (Page 77, Line 15)
 - \$200,000 for the Juvenile Home at Toledo and \$400,000 for the State Training School at Eldora. (Page 77, Lines 17 through 24)

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**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- \$100,000 for the Mental Health Institute (MHI) at Cherokee, \$100,000 for the MHI at Clarinda, \$100,000 for the MHI at Independence, and \$50,000 for the MHI at Mount Pleasant. (Page 77, Line 25 through Page 78, Line 3)
- \$1.0 million for the State Cases Program. (Page 78, Line 4)
- \$800,000 for the Sexual Predator Commitment Program. (Page 78, Line 6)
- \$2.3 million for Field Operations. (Page 78, Line 8)

STUDIES AND INTENT LANGUAGE

- **Department on Aging:** Requires the Department to enforce State and federal requirements for area agencies on aging. (Page 2, Line 25)
- **Department of Public Health:** Specifies intent that a board of direct care workers be established within the DPH by July 1, 2014. Requires the Direct Care Worker Advisory Council to include various items in a report due January 15, 2011. (Page 11, Line 20 through Page 12, Line 27)
- **Department of Veterans Affairs:** Permits the Iowa Veterans Home to use existing resources and federal and State regulations for the community reentry program. (Page 16, Line 2)
- **Department of Human Services (DHS):**
 - Requires the DHS and the Department of Workforce Development to provide summer youth employment and training programs. (Page 20, Line 21 through Page 22, Line 11)
 - Requires the DHS to maximize allowable federal matching funds for food stamp employment and training. Requires the DHS to expand usage of the food assistance program and complying with federal requirements regarding incarcerated or other ineligible applicants. (Page 23, Line 35 and Page 24, Line 8)
 - Permits the DHS to transfer Executive Order 20 savings from Medicaid to supplement the medical contracts appropriation. (Page 33, Line 26)
 - Requires the DHS to request and implement if approved a federal waiver to add assisted living services to the home and community-based services for the elderly under the Medicaid Program. (Page 33, Line 33)
 - Requires the DHS to convene a workgroup related to mental health and disability services regulatory requirements. (Page 34, Line 8)
 - Requires the DIA to provide the State matching funds for the survey and certification costs performed by the DIA. (Page 36, Line 1)
 - Requires the DHS to prioritize full coverage of children's health insurance before supplemental dental services. (Page 37, Line 18)
 - Requires the DHS to prioritize the child care assistance payments before other expenditures from the child care appropriation. (Page 39, Line 7)
 - Specifies legislative intent regarding avoidance of a waiting list in FY 2011 with expectation of sufficient funding for child care subsidy assistance in FY 2011. (Page 39, Line 7)
 - Requires the Child Welfare Advisory Committee to issue recommendations relating to child welfare emergency services. (Page 42, Line 35)

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STUDIES AND INTENT LANGUAGE (CONTINUED)

- Requires the DHS to use \$17,000 of the child and family services funding to support the Interstate Compact for Juveniles. (Page 45, Line 6)
- Requires the DHS to review various mental health services, including those offered at mental health institutes, subacute care, future care at 16-bed facilities, medical student and clinical practitioner participation, and communication with the Judicial Branch. (Page 50, Line 2)
- Requests the Governor's Developmental Disabilities Council to facilitate a workgroup to study residential care facilities. (Page 54, Line 15)
- Requires the DHS to develop a plan for transitioning administration of the remedial services program from a fee-for-service to the Iowa Plan by December 31, 2010, and implementation by June 30, 2011. (Page 56, Line 29 and Page 57, Line 9)
- Requires the DHS to submit proposed rules that have a fiscal impact that were not included in the FY 2011 budget to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee and the Appropriations Committees prior to the submittal for the administrative rules process. (Page 64, Line 34)
- Limits the number of the Medicaid home and community-based services intellectual disabilities waiver openings. Requires the DHS to implement a statewide allocation method and convene a working group for criteria prioritization. (Page 93, Line 8)
- **Department of Inspections and Appeals:** Requires the Department to enter into a food establishment inspection agreement with a county to continue the inspections that were previously part of a multicounty area inspection agreement. (Page 94, Line 5)
- **Department on Aging:**
 - Defers implementation of the certified retirement communities program until the Department on Aging has the resources for implementation, as determined by the Director. (Page 84, Line 2)
 - Eliminates the annual training requirements for the Area Agencies on Aging board of directors. (Page 84, Line 13)
 - Delays implementation of dementia training and education programs until the Director determines funding is available. (Page 84, Line 16)
- **Department of Public Health (DPH):**
 - Requires the DPH to use the lead certification fee revenue for related FTE positions and costs. (Page 83, Line 22)
 - Extends the reporting deadline for the advisory council for the Health Care Continuum Pilot Project until January 1, 2012. (Page 87, Line 14)
 - Changes the DPH Office of Multicultural Health to the Office of Minority and Multicultural Health and reflects changes in duties of the Office. (Page 116, Line 17)

SIGNIFICANT CODE CHANGES

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**SIGNIFICANT CODE CHANGES
(CONTINUED)**

- Modifies the reinstatement of the Hemophilia Advisory Committee to coordinate with the Center for Congenital and Inherited Disorders Advisory Committee. (Page 117, Lines 7 through 22; and Page 119, Line 18)
- **Department of Human Services (DHS):**
 - Reduces the FY 2011 appropriation in SF 478 (FY 2011 Standing Appropriations Act) for mental health allowed growth and provides for the FY 2011 distribution of the funds. (Page 78, Line 26 through Page 83, Line 16)
 - Extends the period of time until the end of FY 2011 for the mental health regional service network pilot project. (Page 85, Line 15)
 - Provides an interstate compact for juveniles and makes Code changes to reflect the updated compact. (Page 94, Line 28 through Page 116, Line 14)
 - Requires that funding from remaining child welfare funding be available for local decategorization (decat) projects for two years in lieu of one year beginning with the allocation from FY 2010 funds. (Page 117, Line 23)
 - Permits the DHS to adopt specific rules for substitute hours for child care licensure under certain circumstances. (Page 118, Line 2)
 - Reduces the amount of funding transferred from the General Fund to the Health Care Trust Fund. (Page 118, Line 11)
 - Exempts certain residents of certain health care facilities, persons eligible for the home and community-based services waiver program, and participants in a Medicaid employment service program from the sex offender facility employee limitation. (Page 118, Line 25)
- **Department of Management (DOM):** Replaces the Department of Education with the DOM for responsibility to submit proposed corrective legislation to the 2011 General Assembly if an Early Childhood Iowa State Board is created. (Page 119, Line 6)
- **Department of Public Health (DPH):**
 - Requires up to \$500,000 remaining from the General Fund and Health Care Trust Fund appropriations for tobacco use prevention and control to carry forward to FY 2011. (Page 87, Line 31; Page 90, Line 29; and Page 91, Line 3)
- **Department of Veterans Affairs:**
 - Requires funds remaining from the Vietnam Veteran Bonus Fund to carry forward to FY 2011. (Page 85, Line 26)
 - Requires funds remaining from the Injured Veteran Grant Program to carry forward to FY 2011. (Page 85, Line 35)
 - Requires the Iowa Veterans Home to transfer up to \$1.0 million of the FY 2010 carryforward to the DHS field operations appropriation for FY 2011. (Page 88, Line 5)

**CARRYFORWARDS, REDUCTIONS,
OR SUPPLEMENTALS**

**EXECUTIVE SUMMARY
HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

**CARRYFORWARDS, REDUCTIONS,
OR SUPPLEMENTALS (CONTINUED)**

- *Department of Human Services:*
 - Carries forward the FY 2009 child welfare decat allocation, with \$1.9 million being used for the Medicaid waiver waiting lists in FY 2011 and the remaining used for the decat programs in FY 2011. (Page 84, Line 29)
 - Decreases the previously enacted FY 2011 appropriation for the Medicaid, Healthy and Well Kids in Iowa (hawk-i), and hawk-i Expansion Programs. (Page 86, Line 10)
 - Eliminates the requirement that DHS adopt rules to extend the period for annual renewal by medical assistance members by mailing the renewal form to the member on the first day of the month prior to the month of renewal. (Page 87, Line 27)
 - Requires nonreversion of the FY 2010 TANF Family Investment Program appropriation through FY 2011. (Page 88, Line 20)
 - Requires nonreversion of funds remaining from the FY 2009 appropriations from the behavioral health services account to FY 2011 for the emergency and children mental health funding and child welfare training. The remaining funds are appropriated to Medicaid. (Page 88, Line 30)
 - Requires nonreversion of the remainder of the FY 2010 State Supplementary Assistance appropriation. (Page 89, Line 19)
 - Requires nonreversion of funds remaining from the FY 2010 appropriation for child development programming in the Oakridge neighborhood in the city of Des Moines in Polk County. (Page 89, Line 29)
 - Increases the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million. (Page 90, Line 2)
 - Adds a FFY 2010 appropriation of \$18.1 million from the federal ARRA funding for the child care subsidy. (Page 93, Line 22)
- Requirement that the DHS and juvenile court services develop an FY 2011 funding distribution plan. (Page 65, Line 20)
- Division VII is effective on enactment. (Page 94, Line 19)
This includes the following provisions:
 - Deferral of implementation of the certified retirement communities program until the Department on Aging has the resources for implementation.
 - Elimination of the annual training requirements for the area agencies on aging board of directors.
 - Delay of implementation of dementia training and education programs.
 - Carryforward and expenditure of FY 2009 decategorization allocation funds.
 - Extension until the end of FY 2011 for the mental health regional service network pilot project.
 - Nonreversion of the Vietnam Veteran Bonus Program funding.
 - Nonreversion of the Injured Veteran Grant Program.
 - Decrease of the previously enacted FY 2011 appropriation for the Medicaid, hawk-i, and hawk-i Expansion Programs.
 - Extension of the health care continuum pilot project until June 30, 2012.

EFFECTIVE DATES

**EXECUTIVE SUMMARY
HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

EFFECTIVE DATES (CONTINUED)

- Striking the requirement that DHS adopt rules to extend the period for annual renewal by medical assistance members as specified.
- Capping nonreversion of the DHS FY 2010 multiple appropriations for tobacco use prevention and control.
- Requiring the Iowa Veterans Home to transfer up to \$1.0 million of the FY 2010 carryforward to the DHS field operations appropriation for FY 2011.
- Nonreversion of the FY 2010 TANF Family Investment Program appropriation.
- Extension and nonreversion of funds for the emergency and children’s mental health projects.
- Nonreversion of the remainder of the FY 2010 State Supplementary Assistance appropriation.
- Nonreversion of funds remaining from the FY 2010 appropriation for child development programming in the Oakridge neighborhood in the city of Des Moines in Polk County.
- Increase in the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million.
- Changes to the FY 2010 emergency contingent TANF funding for the summer youth employment training programs.
- Limiting the number of the Medicaid home and community-based services intellectual disabilities waiver openings.
- Federal FY 2010 ARRA child development block grant appropriation.
- Requiring the DIA to enter into a food establishment inspection agreement with certain counties.
- The requirement that the DPH use lead certification fee revenue for FTE positions and related costs is retroactive to July 1, 2009. (Page 94, Line 22)
- This Bill was approved by the General Assembly on March 27, 2010.

RETROACTIVE APPLICABILITY

ENACTMENT DATE

House File 2526 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
6	3	2.1(d)(2)(a)	Nwthstnd	Sec. ALL	Substance Abuse System
17	21	6.2	Nwthstnd	Sec. 8.33	Nonreversion of Contract Services Funds
17	35	6.3	Nwthstnd	Sec. 8.33	FY 2008 FaDSS Carryforward
19	31	6.13(a)	Nwthstnd	Sec. ALL	TANF Emergency Appropriation
25	22	8.3	Nwthstnd	Sec. 8.39	DHS Authority to Transfer TANF Funds
33	13	11.2O	Nwthstnd	Sec. 8.33	Medicare Clawback Carryforward
39	24	16.8	Nwthstnd	Sec. 8.33	Child Care Assistance Carryforward
42	21	19.7(a)	Nwthstnd	Sec. 234.35	Shelter Care Target
43	11	19.8	Nwthstnd	Sec. 8.33	CFS Carryforward
44	8	19.10(c)	Nwthstnd	Sec. 232.141	JCS Funding Distribution
44	17	19.10(d)	Nwthstnd	Sec. ALL	JCO Limitations
44	33	19.10(e)	Nwthstnd	Sec. ALL	JCO Limitations
47	17	20.3	Nwthstnd	Sec. 8.33	Adoption Carryforward
47	30	21	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Fund
52	22	25.3	Nwthstnd	Sec. 8.33	State Cases Program Carryforward
60	16	33.1(k)	Nwthstnd	Sec. ALL	Anesthesiologist Reimbursement Rate
60	20	33.1(l)	Nwthstnd	Sec. 249A.20	Provider Rates
61	35	33.4	Nwthstnd	Sec. 234.38	Foster Care Rates
63	19	33.9(b)	Nwthstnd	Sec. 232.141(8)	Shelter Care Reimbursement
66	31	37.2	Nwthstnd	Sec. 249H.7	Senior Living Programs
68	9	40	Nwthstnd	Sec. ALL	Pharmaceutical Settlement Account
69	22	41.1(b)	Nwthstnd	Sec. ALL	IowaCare Distribution of Funds
70	8	41.2	Nwthstnd	Sec. ALL	IowaCare Payment
70	25	41.3	Nwthstnd	Sec. ALL	IowaCare Payment
72	29	41.5	Nwthstnd	Sec. ALL	IowaCare Payment
74	17	42.9	Nwthstnd	Sec. 8.39(1)	Funds Transfer
75	1	44	Nwthstnd	Sec. ALL	Nursing Facility Appropriation
78	10	46	Nwthstnd	Sec. 8.33	Carryforward of Medicaid Funds
78	26	47	Amends	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth

Page #	Line #	Bill Section	Action	Code Section	Description
79	12	48.1	Adds	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
80	12	48.2	Adds	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
80	19	48.3-5	Adds	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
83	22	49	Amends	Sec. 135.105A(5), 2009 Code Supplement	Lead Training and Certification Program
84	2	50	Amends	Sec. 231.24(9)	Certified Retirement Communities
84	13	51	Amends	Sec. 231.33(19)	AAA Board Training
84	16	52	Amends	Sec. 3, Chapter 1140, 2008 Iowa Acts	Dementia Training
84	29	53	Amends	Sec. 16.5, Chapter 1187, 2008 Iowa Acts	FY 2009 Decat Carryforward
85	15	54	Amends	Sec. 59.9(a), Chapter 1187, 2008 Iowa Acts	Regional Mental Health Pilot Project
85	26	55	Amends	Sec. 82, Chapter 182, 2009 Iowa Acts	Vietnam Veteran Bonus Funding Carryforward
85	35	56	Amends	Sec. 83, Chapter 182, 2009 Iowa Acts	Injured Veteran Grant Program Carryforward
86	10	57	Amends	Sec. 16, Chapter 1188, 2008 Iowa Acts, as amended	Medicaid, hawk-i Appropriation
86	28	58.1	Amends	Sec. 36.1, Chapter 1188, 2008 Iowa Acts	Patient Decision Making Pilot Project
87	14	58.2	Amends	Sec. 36.2, Chapter 1188, 2008 Iowa Acts	Patient Autonomy Advisory Council Reporting
87	27	59	Amends	Sec. 38.3, Chapter 118, 2009 Iowa Acts	Medicaid Paperwork Requirements
87	31	60	Amends	Sec. 2.1(a), Chapter 182, 2009 Iowa Acts	Nonreversion of Tobacco General Fund
88	5	61	Amends	Sec. 3.2, Chapter 182, 2009 Iowa Acts	Use of Iowa Veterans Home FY 2010 Carryforward
88	20	62	Amends	Sec. 5, Chapter 182, 2009 Iowa Acts	TANF Carryforward

Page #	Line #	Bill Section	Action	Code Section	Description
88	30	63	Amends	Sec. 9.16(b), Chapter 182, 2009 Iowa Acts	Behavioral Health Account
89	19	64	Adds	Sec. 12.4, Chapter 182, 2009 Iowa Acts	Nonreversion of State Supplementary Assistance
89	29	65	Amends	Sec. 14.9, Chapter 182, 2009 Iowa Acts	Nonreversion of Child Development Programming Funds
90	2	66	Amends	Sec. 48.3, Chapter 182, 2009 Iowa Acts	FY 2010 IowaCare Broadlawns Appropriation
90	29	67	Amends	Sec. 60.1(b), Chapter 182, 2009 Iowa Acts	Nonreversion of Tobacco HCTF
91	17	69	Amends	Sec. 5A, Chap 182, 2009 Iowa Acts, as enacted by SF 2151	TANF Emergency Appropriation
94	5	72	Nwthstnd	Sec. ALL	County Food Inspections
94	28	74	Amends	Sec. 232.2(29), 2009 Code Supplement	Interstate Compact for Juveniles
116	17	77	Amends	Sec. 135.12, Code 2009	Office of Minority and Multicultural Health
117	7	78	Amends	Sec. 135N.3(2)	Hemophilia Advisory Committee Recommendations
117	14	79	Amends	Sec. 135N.5(1)	Hemophilia Advisory Committee
117	23	80	Amends	Sec. 232.188(5)(b)	Decategorization carryforward allowance
118	2	81	Adds	Sec. 237A.3A(3)(e), 2009 Code Supplement	Substitute Child Care Hours
118	11	82	Amends	Sec. 435A.35(1)	Health Care Trust Fund Transfer
118	25	83	Amends	Sec. 692A.115	Sex Offender Employment
119	6	84	Amends	Sec. 361.2, SF 2088, 2010 Iowa Acts	Empowerment Lead Agency Technical Correction
119	18	85	Repeals	Sec. 399, SF 2088, 2010 Iowa Acts	Hemophilia Advisory Committee

1 1 DIVISION I
1 2 DEPARTMENT ON AGING

1 3 Section 1. DEPARTMENT ON AGING. There is appropriated from
1 4 the general fund of the state to the department on aging for
1 5 the fiscal year beginning July 1, 2010, and ending June 30,
1 6 2011, the following amount, or so much thereof as is necessary,
1 7 to be used for the purposes designated:

1 8 For aging programs for the department on aging and area
1 9 agencies on aging to provide citizens of Iowa who are 60 years
1 10 of age and older with case management for the frail elderly,
1 11 resident advocate committee coordination, employment, and other
1 12 services which may include but are not limited to adult day
1 13 services, respite care, chore services, telephone reassurance,
1 14 information and assistance, and home repair services, and
1 15 for the construction of entrance ramps which make residences
1 16 accessible to the physically handicapped, and for salaries,
1 17 support, administration, maintenance, and miscellaneous
1 18 purposes, and for not more than the following full-time
1 19 equivalent positions:
1 20 \$ 4,662,988
1 21 FTEs 36.00

General Fund appropriation to the Department on Aging for FY 2011.

DETAIL: This is a net increase of \$200,581 and a decrease of 1.50 FTE positions compared to estimated net FY 2010. The increase in funding is due to additional funding for unmet needs for seniors that was previously funded through the Health Care Trust Fund (HCTF). The decrease in FTE positions is to match actual utilization.

1 22 1. Funds appropriated in this section may be used to
1 23 supplement federal funds under federal regulations. To
1 24 receive funds appropriated in this section, a local area
1 25 agency on aging shall match the funds with moneys from other
1 26 sources according to rules adopted by the department. Funds
1 27 appropriated in this section may be used for elderly services
1 28 not specifically enumerated in this section only if approved
1 29 by an area agency on aging for provision of the service within
1 30 the area.

Permits the use of funds appropriated in this Section to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.

1 31 2. a. Of the funds appropriated in this section, \$1,246,514

Requires \$1,246,514 to be transferred to the Department of Human

1 32 shall be transferred to the department of human services in
 1 33 equal amounts on a quarterly basis for reimbursement of case
 1 34 management services provided under the medical assistance
 1 35 elderly waiver. The department of human services shall adopt
 2 1 rules for case management services provided under the medical
 2 2 assistance elderly waiver in consultation with the department
 2 3 on aging.

Services (DHS) in equal amounts on a quarterly basis for Case Management reimbursement under the Medicaid Elderly Waiver for the Case Management Program for the Frail Elderly.

DETAIL: This is a decrease of \$138,501 compared to the original FY 2010 transfer amount. The amount was reduced by 10.00% when the Governor issued the across-the-board (ATB) reduction.

2 4 b. The department of human services shall review
 2 5 projections for state funding expenditures for reimbursement
 2 6 of case management services under the medical assistance
 2 7 elderly waiver on a quarterly basis and shall determine if an
 2 8 adjustment to the medical assistance reimbursement rates are
 2 9 necessary to provide reimbursement within the state funding
 2 10 amounts budgeted under the appropriations made for the fiscal
 2 11 year for the medical assistance program. Any temporary
 2 12 enhanced federal financial participation that may become
 2 13 available for the medical assistance program during the fiscal
 2 14 year shall not be used in projecting the medical assistance
 2 15 elderly waiver case management budget. The department of human
 2 16 services shall revise such reimbursement rates as necessary to
 2 17 maintain expenditures for medical assistance elderly waiver
 2 18 case management services within the state funding amounts
 2 19 budgeted under the appropriations made for the fiscal year for
 2 20 the medical assistance program.

Requires the DHS to review expenditure for reimbursement of case management services under the Medicaid Elderly Waiver on a quarterly basis and adjust to provide reimbursements within the appropriation.

2 21 3. Of the funds appropriated in this section, \$179,964 shall
 2 22 be transferred to the department of economic development for
 2 23 the Iowa commission on volunteer services to be used for the
 2 24 retired and senior volunteer program.

Requires a transfer of \$179,964 to the Iowa Commission on Volunteer Services in the Department of Economic Development for the Retired Senior Volunteer Program (RSVP).

DETAIL: This is no change compared to the FY 2010 allocation.

2 25 4. a. The department on aging shall establish and enforce

Requires the Department on Aging to establish and enforce

2 26 procedures relating to expenditure of state and federal funds
2 27 by area agencies on aging that require compliance with both
2 28 state and federal laws, rules, and regulations, including but
2 29 not limited to all of the following:
2 30 (1) Requiring that expenditures are incurred only for goods
2 31 or services received or performed prior to the end of the
2 32 fiscal period designated for use of the funds.
2 33 (2) Prohibiting prepayment for goods or services not
2 34 received or performed prior to the end of the fiscal period
2 35 designated for use of the funds.
3 1 (3) Prohibiting the prepayment for goods or services
3 2 not defined specifically by good or service, time period, or
3 3 recipient.
3 4 (4) Prohibiting the establishment of accounts from which
3 5 future goods or services which are not defined specifically by
3 6 good or service, time period, or recipient, may be purchased.
3 7 b. The procedures shall provide that if any funds are
3 8 expended in a manner that is not in compliance with the
3 9 procedures and applicable federal and state laws, rules, and
3 10 regulations, and are subsequently subject to repayment, the
3 11 area agency on aging expending such funds in contravention of
3 12 such procedures, laws, rules and regulations, not the state,
3 13 shall be liable for such repayment.

3 14 DIVISION II
3 15 DEPARTMENT OF PUBLIC HEALTH

3 16 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. The allocations
3 17 made in this section may include amounts carried forward from
3 18 appropriations and allocations made for the same purposes in
3 19 the previous fiscal year. There is appropriated from the
3 20 general fund of the state to the department of public health
3 21 for the fiscal year beginning July 1, 2010, and ending June
3 22 30, 2011, the following amounts, or so much thereof as is
3 23 necessary, to be used for the purposes designated:

procedures related to expenditures of State and federal funds,
complying with both State and federal law. An Area Agency on Aging
is liable for any expended funds found not in compliance with the law.

3 24 1. ADDICTIVE DISORDERS
 3 25 For reducing the prevalence of use of tobacco, alcohol, and
 3 26 other drugs, and treating individuals affected by addictive
 3 27 behaviors, including gambling, and for not more than the
 3 28 following full-time equivalent positions:
 3 29 \$ 28,974,840
 3 30 FTEs 18.00

General Fund appropriation to addictive disorders programs.

DETAIL: This is a net increase of \$3,187,590 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$500,000 for tobacco use, prevention, cessation, and treatment to reflect available carryforward.
- A decrease of \$100,000 for savings relating to administrative efficiencies reported by the Department in the reports required in HF 811 (FY 2010 Health and Human Services Appropriations Act).
- The following increases reflect partial restorations of funding from the FY 2010 ATB reductions:
 - \$719,710 for substance abuse treatment and prevention.
 - \$175,000 for tobacco use, prevention, and control.
 - \$361,505 for gambling treatment.
 - \$57,552 for culturally competent substance abuse treatment pilot projects.
- The following increases were formerly funded by the HCTF but have been moved to the General Fund:
 - \$793,166 for substance abuse treatment and prevention.
 - \$242,768 for three culturally competent substance abuse treatment pilot projects.
 - \$1,437,889 for tobacco use, prevention and control.

3 31 a. Of the funds appropriated in this subsection, \$7,438,282
 3 32 shall be used for the tobacco use prevention and control
 3 33 initiative, including efforts at the state and local levels, as
 3 34 provided in chapter 142A.

Requires an allocation of \$7,438,282 to be used for tobacco use, prevention, cessation, and treatment.

DETAIL: This is a net decrease of \$589,932 compared to the FY 2010 allocation. This includes \$1,437,889 of funding from the HCTF that will now be funded from the General Fund.

3 35 (1) The director of public health shall dedicate sufficient
 4 1 resources to promote and ensure retailer compliance with
 4 2 tobacco laws and ordinances relating to persons under 18

Requires the Director of the Department of Public Health (DPH) to promote and ensure retailer compliance with tobacco laws.

4 3 years of age, and shall prioritize the state's compliance in
4 4 the allocation of available funds to comply with 42 U.S.C.
4 5 300x=26 and section 453A.2.

4 6 (2) Of the full-time equivalent positions authorized in
4 7 this subsection, 2.00 full-time equivalent positions shall
4 8 be utilized to provide for enforcement of tobacco laws,
4 9 regulations, and ordinances.

4 10 (3) Of the funds allocated in this lettered paragraph,
4 11 \$1,796,508 shall be used for youth programs designed to
4 12 achieve the goals of the initiative, that are directed by youth
4 13 participants for youth pursuant to section 142A.9.

4 14 b. Of the funds appropriated in this subsection,
4 15 \$17,920,028 shall be used for substance abuse treatment and
4 16 prevention.

4 17 (1) Of the funds allocated in this lettered paragraph,
4 18 \$943,813 shall be used for the public purpose of a grant
4 19 program to provide substance abuse prevention programming for
4 20 children.

4 21 (a) Of the funds allocated in this subparagraph, \$449,445
4 22 shall be utilized for the public purpose of providing grant
4 23 funding for organizations that provide programming for children

Requires 2.00 FTE positions to be used by the DPH for enforcement of tobacco laws.

Requires an allocation of \$1,796,508 to be used for the youth component of tobacco use, prevention, and control.

DETAIL: This is a new allocation for FY 2011. In estimated net FY 2010, the Division of Tobacco Use, Prevention, and Control budgeted \$1,627,251 for Just Eliminate Lies (JEL).

Requires an allocation of \$17,920,028 for substance abuse treatment and prevention.

DETAIL: This is a net increase of \$373,776 compared to the FY 2010 allocation. This includes \$1,035,934 of funding from the HCTF that will now be funded from the General Fund.

NOTE: There is an additional appropriation of \$500,000 from the Underground Storage Tank (UST) Fund to addictive disorders for substance abuse treatment and prevention in Section 45 of this Bill.

Allocates \$943,813 for substance abuse prevention programs for children.

DETAIL: This is a decrease of \$49,674 compared to the FY 2010 allocation.

Allocates \$449,445 for substance abuse prevention programs for children to be used for programs that utilize mentors. Requires the programs that receive funding to be verified within six months of

<p>4 24 by utilizing mentors. Programs approved for such grants 4 25 shall be certified or will be certified within six months of 4 26 receiving the grant award by the Iowa commission on volunteer 4 27 services as utilizing the standards for effective practice for 4 28 mentoring programs.</p>	<p>receiving grants by the Iowa Commission on Volunteer Services as using effective standards for mentoring programs.</p> <p>DETAIL: This is a decrease of \$23,655 compared to the FY 2010 allocation.</p>
<p>4 29 (b) Of the funds allocated in this subparagraph, \$449,445 4 30 shall be utilized for the public purpose of providing grant 4 31 funding for organizations that provide programming that 4 32 includes youth development and leadership. The programs shall 4 33 also be recognized as being programs that are scientifically 4 34 based with evidence of their effectiveness in reducing 4 35 substance abuse in children.</p>	<p>Allocates \$449,445 for substance abuse prevention programs for children to be used to provide programs that include youth and character development and leadership. Requires the programs to be recognized as scientifically-based with evidence of effectiveness in reducing substance abuse in children.</p>
<p>5 1 (c) The Iowa department of public health shall utilize a 5 2 request for proposals process to implement the grant program.</p>	<p>Requires the DPH to issue a Request for Proposals (RFP) to determine grant recipients for the funds allocated for substance abuse prevention programs for children.</p>
<p>5 3 (d) All grant recipients shall participate in a program 5 4 evaluation as a requirement for receiving grant funds.</p>	<p>Requires substance abuse prevention programs for children grant recipients to participate in program evaluations.</p>
<p>5 5 (e) Of the funds allocated for the grant program, \$44,923 5 6 shall be used to administer substance abuse prevention grants 5 7 and for program evaluations.</p>	<p>Requires \$44,923 of the amount allocated for substance abuse prevention programs for children to be used to administer prevention program grants and evaluations.</p>
<p>5 8 (2) It is the intent of the general assembly that from the 5 9 moneys allocated in this lettered paragraph persons with a dual 5 10 diagnosis of substance abuse and gambling addictions shall be 5 11 given priority in treatment services.</p>	<p>Specifies it is the intent of the General Assembly that individuals with a diagnosis of both substance abuse and gambling addiction are required to be given priority in treatment services from the funds appropriated in this Section.</p>
<p>5 12 c. Of the funds appropriated in this subsection, \$300,320 5 13 shall be used for culturally competent substance abuse 5 14 treatment pilot projects.</p>	<p>Requires an allocation of \$300,320 for three culturally competent substance abuse treatment pilot projects.</p>

5 15 (1) The department shall utilize the amount allocated
 5 16 in this lettered paragraph for at least three pilot projects
 5 17 to provide culturally competent substance abuse treatment in
 5 18 various areas of the state. Each pilot project shall target
 5 19 a particular ethnic minority population. The populations
 5 20 targeted shall include but are not limited to African=American,
 5 21 Asian, and Latino.
 5 22 (2) The pilot project requirements shall provide for
 5 23 documentation or other means to ensure access to the cultural
 5 24 competence approach used by a pilot project so that such
 5 25 approach can be replicated and improved upon in successor
 5 26 programs.

DETAIL: This is a decrease of \$57,550 compared to the FY 2010 allocation. This allocation was previously funded by the HCTF. The pilot projects are located in Woodbury County, Scott County, and Polk County.

5 27 d. (1) Of the funds appropriated in this subsection,
 5 28 \$3,716,530 shall be used for funding of gambling treatment,
 5 29 including administrative costs and to provide programs
 5 30 which may include but are not limited to outpatient and
 5 31 follow=up treatment for persons affected by problem gambling,
 5 32 rehabilitation and residential treatment programs, information
 5 33 and referral services, education and preventive services, and
 5 34 financial management services. Of the amount allocated in
 5 35 this lettered paragraph, up to \$100,000 may be used for the
 6 1 licensing of gambling treatment programs as provided in section
 6 2 135.150.

Allocates \$3,716,530 for gambling addiction treatment.

DETAIL: This is a decrease of \$361,505 compared to the FY 2010 allocation. The Department is permitted to use a maximum of \$100,000 for licensing of gambling treatment programs.

6 3 (2) (a) Notwithstanding any provision to the contrary,
 6 4 to standardize the availability, delivery, cost of
 6 5 delivery, and accountability of gambling and substance abuse
 6 6 treatment services statewide, the department shall continue
 6 7 implementation of a process to create a system for delivery
 6 8 of the treatment services in accordance with the requirements
 6 9 specified in 2008 Iowa Acts, chapter 1187, section 3,
 6 10 subsection 4. To ensure the system provides a continuum of
 6 11 treatment services that best meets the needs of Iowans, the
 6 12 gambling and substance abuse treatment services in an area may
 6 13 be provided either by a single agency or by separate agencies

CODE: Requires the DPH to implement a process to create a system for delivery of treatment services. Requires the process to include the establishment of joint licensure for gambling and substance abuse treatment programs. Requires the process to be completed by July 1, 2010.

6 14 submitting a joint proposal.

6 15 (b) From the amounts designated for gambling and substance
6 16 abuse treatment, the department may use up to \$100,000 for
6 17 administrative costs to continue developing and implementing
6 18 the process in accordance with subparagraph division (a).

Permits the DPH to allocate up to \$100,000 for administrative costs to develop and implement the process in accordance with this Subsection.

6 19 (3) The requirement of section 123.53, subsection 3, is
6 20 met by the appropriations and allocations made in this Act for
6 21 purposes of substance abuse treatment and addictive disorders
6 22 for the fiscal year beginning July 1, 2010.

The requirements of Code Section 123.53(3) are met by the appropriations made in this Bill.

6 23 2. HEALTHY CHILDREN AND FAMILIES
6 24 For promoting the optimum health status for children,
6 25 adolescents from birth through 21 years of age, and families,
6 26 and for not more than the following full-time equivalent
6 27 positions:
6 28 \$ 2,735,062
6 29 FTEs 14.00

General Fund appropriation to healthy children and families programs.

DETAIL: This is an increase of \$710,812 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- The following increases reflect restorations of funding due to the FY 2010 ATB reductions:
 - \$225,000 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.
 - \$25,000 for childhood obesity prevention programming.
 - \$16,595 for the Audiological Services for Kids Program.
- The following increases were programs formerly funded by the HCTF but have been moved to the General Fund:
 - \$171,295 for the Audiological Services for Kids Program.
 - \$143,643 for the Assuring Better Child Development (ABCD II) mental health program.
 - \$129,279 for childhood obesity prevention programs.

6 30 a. Of the funds appropriated in this subsection, not more
6 31 than \$738,203 shall be used for the healthy opportunities to
6 32 experience success (HOPES)=healthy families Iowa (HFI) program

Limits the General Fund amount used to fund the HOPES Program to \$738,203. The funds are required to be distributed to the grantees that received funding in FY 2010.

6 33 established pursuant to section 135.106. The funding shall
 6 34 be distributed to renew the grants that were provided to the
 6 35 grantees that operated the program during the fiscal year
 7 1 ending June 30, 2010.

DETAIL: This is an increase of \$167,977 compared to the FY 2010 allocation. The Temporary Assistance for Needy Families (TANF) appropriation to the DHS for HOPES has been eliminated for FY 2011.

7 2 b. Of the funds appropriated in this subsection, \$329,885
 7 3 shall be used to continue to address the healthy mental
 7 4 development of children from birth through five years of age
 7 5 through local evidence-based strategies that engage both the
 7 6 public and private sectors in promoting healthy development,
 7 7 prevention, and treatment for children.

Allocates \$329,885 for the ABCD II Program.

DETAIL: This is a decrease of \$122,509 compared to the total FY 2010 allocations and includes \$143,643 of funding from the HCTF that will now be funded from the General Fund.

7 8 c. Of the funds appropriated in this subsection, \$31,597
 7 9 shall be distributed to a statewide dental carrier to provide
 7 10 funds to continue the donated dental services program patterned
 7 11 after the projects developed by the national foundation of
 7 12 dentistry for the handicapped to provide dental services to
 7 13 indigent elderly and disabled individuals.

Allocates \$31,597 for dental services for indigent elderly and disabled individuals.

DETAIL: This is a decrease of \$3,511 compared to the FY 2010 allocation for a general reduction.

7 14 d. Of the funds appropriated in this subsection, \$129,279
 7 15 shall be used for childhood obesity prevention.

Allocates \$129,279 for childhood obesity programs.

DETAIL: This is a decrease of \$14,364 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

7 16 e. Of the funds appropriated in this subsection, \$187,890
 7 17 shall be used to provide audiological services and hearing
 7 18 aids for children. The department may enter into a contract
 7 19 to administer this paragraph.

Allocates \$187,890 for the Audiological Services for Kids Program.

DETAIL: This is a decrease of \$2,438 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

7 20 f. It is the intent of the general assembly that the

Specifies legislative intent that the DPH continue to implement the

7 21 department of public health shall implement the recommendations
 7 22 of the postnatal tissue and fluid bank task force created in
 7 23 2007 Iowa Acts, chapter 147, based upon the report submitted
 7 24 to the general assembly in November 2007, as funding becomes
 7 25 available. The department shall notify the Iowa Code editor
 7 26 and the persons specified in this Act to receive reports when
 7 27 such funding becomes available.

recommendations of the Postnatal Tissue and Fluid Bank Task Force.

7 28 3. CHRONIC CONDITIONS
 7 29 For serving individuals identified as having chronic
 7 30 conditions or special health care needs, and for not more than
 7 31 the following full-time equivalent positions:
 7 32 \$ 3,597,313
 7 33 FTEs 4.10

General Fund appropriation to chronic conditions programs.

DETAIL: This is an increase of \$1,116,701 and 1.10 FTE positions to reflect actual utilization compared to estimated net FY 2010. The funding from the General Fund is expended as follows:

- \$788,303 for Child Health Specialty Clinics. Of this amount, \$344,944 was formerly funded by the HCTF.
- \$85,678 for muscular dystrophy programs.
- \$528,834 for programming related to birth defects.
- \$539,868 for the Aids Drug Assistance Program (ADAP).
- \$160,582 for phenylketonuria (PKU) assistance.
- \$149,612 for the Prescription Drug Donation Program.
- \$57,013 for epilepsy education programming.
- \$27,338 for the Brain Injury Council.
- \$441,682 for Brain Injury Services.
- \$408,802 for the Comprehensive Cancer Control Program. This allocation was formerly funded by the HCTF.
- \$145,550 for cervical and colon cancer screenings. This allocation was formerly funded by the HCTF.
- \$138,502 for the Prevention and Chronic Care Advisory Council.
- \$125,549 for the Medical Home Advisory Council.

7 34 a. Of the funds appropriated in this subsection, \$160,582
 7 35 shall be used for grants to individual patients who have
 8 1 phenylketonuria (PKU) to assist with the costs of necessary
 8 2 special foods.

Allocates \$160,582 for PKU assistance.

DETAIL: This is a decrease of \$15,960 compared to the FY 2010 allocation for a general reduction.

	NOTE: There is an additional appropriation of \$20,000 from the UST Fund to chronic conditions for PKU assistance in Section 45 of this Bill.
8 3 b. Of the funds appropriated in this subsection, \$441,682	
8 4 is allocated for continuation of the contracts for resource	Allocates \$441,682 for continuation of the two contracts from FY 2010
8 5 facilitator services in accordance with section 135.22B,	in the DPH Brain Injury Services Program.
8 6 subsection 9, and for brain injury training services and	
8 7 recruiting of service providers to increase the capacity within	DETAIL: This is an increase of \$3,664 compared to the FY 2010
8 8 this state to address the needs of individuals with brain	allocation. The contracts from FY 2010 were with the Brain Injury
8 9 injuries and such individuals' families.	Association of Iowa and the Iowa Association of Community
	Providers.
8 10 c. Of the funds appropriated in this subsection, \$539,868	Allocates \$539,868 to the ADAP.
8 11 shall be used as additional funding to leverage federal funding	
8 12 through the federal Ryan White Care Act, Tit. II, AIDS drug	DETAIL: This is an increase of \$50,000 compared to the FY 2010
8 13 assistance program supplemental drug treatment grants.	funding level.
8 14 d. Of the funds appropriated in this subsection, \$57,013	Allocates \$57,013 for epilepsy education and support.
8 15 shall be used for the public purpose of providing a grant to an	
8 16 existing national=affiliated organization to provide education,	DETAIL: This is a decrease of \$31,885 compared to the FY 2010
8 17 client=centered programs, and client and family support for	allocation for a general reduction.
8 18 people living with epilepsy and their families.	
8 19 e. Of the funds appropriated in this subsection, \$788,303	Allocates \$788,303 for child health specialty clinics.
8 20 shall be used for child health specialty clinics.	
	DETAIL: This is no change compared to the FY 2010 allocation. This
	includes \$344,944 that was previously funded by the HCTF.
	NOTE: There is an additional appropriation of \$15,000 from the UST
	Fund to chronic conditions for child health specialty clinics in Section
	45 of this Bill.
8 21 f. Of the funds appropriated in this subsection, \$408,802	Allocates \$408,802 for the Iowa Comprehensive Cancer Control

<p>8 22 shall be used for the comprehensive cancer control program to 8 23 reduce the burden of cancer in Iowa through prevention, early 8 24 detection, effective treatment, and ensuring quality of life.</p>	<p>Program. DETAIL: This is a decrease of \$45,422 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>8 25 g. Of the funds appropriated in this subsection, \$145,550 8 26 shall be used for cervical and colon cancer screening.</p>	<p>Allocates \$145,550 for cervical and colon cancer screening. DETAIL: This is a decrease of \$16,174 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>8 27 h. Of the funds appropriated in this subsection, \$528,834 8 28 shall be used for the center for congenital and inherited 8 29 disorders.</p>	<p>Allocates \$528,834 for the Center for Congenital and Inherited Disorders Central Registry. DETAIL: This is a new allocation for FY 2011.</p>
<p>8 30 i. Of the funds appropriated in this subsection, \$149,612 8 31 shall be used for the prescription drug donation repository 8 32 program created in chapter 135M.</p>	<p>Allocates \$149,612 for the Prescription Drug Donation Program. DETAIL: This is a new allocation for FY 2011.</p>
<p>8 33 4. COMMUNITY CAPACITY 8 34 For strengthening the health care delivery system at the 8 35 local level, and for not more than the following full-time 9 1 equivalent positions: 9 2 \$ 5,503,037 9 3 FTEs 21.00</p>	<p>General Fund appropriation to the community capacity programs. DETAIL: This is an increase of \$1,797,875 and no change in FTE positions compared to estimated net FY 2010. The changes include the following increases that are programs formerly funded by the HCTF but have been moved to the General Fund:</p> <ul style="list-style-type: none"> • \$55,214 for local public health modernization and redesign. • \$135,000 for the Direct Care Worker Association. • \$180,000 for the Direct Care Worker Task Force. • \$63,000 for conference scholarships for direct care workers. • \$184,050 for mental health professional shortage programs. • \$73,620 for the Iowa Collaborative Safety Net Provider Network coordination.

- \$74,517 for family planning network agencies.
- \$74,517 for local board of health medical home pilot programs.
- \$74,517 for child and maternal health center pilot programs.
- \$184,050 for free clinics.
- \$110,430 for rural health clinics.
- \$294,480 for the safety net provider patient access to specialty care initiative.
- \$294,480 for the pharmaceutical infrastructure for safety net providers.

9 4 a. Of the funds appropriated in this subsection, \$63,592
 9 5 is allocated for a child vision screening program implemented
 9 6 through the university of Iowa hospitals and clinics in
 9 7 collaboration with community empowerment areas.

Requires an allocation of \$63,592 for a child vision screening program through the University of Iowa Hospitals and Clinics in collaboration with community empowerment areas.

DETAIL: This is a decrease of \$26,408 compared to the FY 2010 allocation for a general reduction.

9 8 b. Of the funds appropriated in this subsection, \$129,741 is
 9 9 allocated for continuation of an initiative implemented at the
 9 10 university of Iowa and \$117,142 is allocated for continuation
 9 11 of an initiative at the state mental health institute at
 9 12 Cherokee to expand and improve the workforce engaged in
 9 13 mental health treatment and services. The initiatives shall
 9 14 receive input from the university of Iowa, the department
 9 15 of human services, the department of public health, and the
 9 16 mental health, mental retardation, developmental disabilities,
 9 17 and brain injury commission to address the focus of the
 9 18 initiatives.

Requires an allocation of \$129,741 for a University of Iowa initiative to expand and improve the mental health treatment and services workforce. Requires an allocation of \$117,142 for a similar initiative at the Mental Health Institute at Cherokee.

DETAIL: Compared to the FY 2010 allocations, these are decreases of \$13,513 for the University of Iowa initiative and \$8,660 for a similar initiative at the Mental Health Institute at Cherokee for general reductions.

9 19 c. Of the funds appropriated in this subsection, \$1,264,812
 9 20 shall be used for essential public health services that promote
 9 21 healthy aging throughout the lifespan, contracted through a
 9 22 formula for local boards of health, to enhance health promotion

Requires the DPH to use \$1,264,812 for core public health functions, including home health care and public health nursing services.

DETAIL: This is an increase of \$210,752 compared to the FY 2010

9 23	and disease prevention services.	allocation.
9 24	d. Of the funds appropriated in this section, \$130,214 shall	Allocates \$130,214 to the Governmental Public Health System Fund.
9 25	be deposited in the governmental public health system fund	
9 26	created in section 135A.8 to be used for the purposes of the	DETAIL: This is a decrease of \$31,135 compared to the total FY
9 27	fund.	2010 allocation for a general reduction and includes \$55,214 of
		funding from the HCTF that will now be funded from the General
		Fund. The Fund is used for activities relating to the Department's
		Public Health Modernization initiative.
9 28	e. Of the funds appropriated in this subsection, \$143,150	Allocates \$143,150 for the Mental Health Professional Shortage Area
9 29	shall be used for the mental health professional shortage area	Program.
9 30	program implemented pursuant to section 135.80.	DETAIL: This is a decrease of \$20,450 compared to the FY 2010
		allocation for a general reduction. This allocation was previously
		funded by the HCTF.
9 31	f. Of the funds appropriated in this subsection,	Allocates \$40,900 for a rotation program for intern psychologists in
9 32	\$40,900 shall be used for a grant to a statewide association	urban and rural mental health professional shortage areas.
9 33	of psychologists that is affiliated with the American	DETAIL: This is no change compared to the FY 2010 allocation. This
9 34	psychological association to be used for continuation of a	allocation was previously funded by the HCTF.
9 35	program to rotate intern psychologists in placements in urban	
10 1	and rural mental health professional shortage areas, as defined	
10 2	in section 135.80.	
10 3	g. Of the funds appropriated in this subsection, the	Provides for allocations to the Iowa Collaborative Safety Net Provider
10 4	following amounts shall be allocated to the Iowa collaborative	Network.
10 5	safety net provider network established pursuant to section	
10 6	135.153 to be used for the purposes designated:	
10 7	(1) For distribution to the Iowa=Nebraska primary	Allocates \$73,620 for the Iowa Collaborative Safety Net Provider
10 8	care association for statewide coordination of the Iowa	Network.
10 9	collaborative safety net provider network:	

PG LN	House File 2526	Explanation
10 10	\$ 73,620	DETAIL: This is a decrease of \$8,180 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
10 11 (2) For distribution to the Iowa family planning network 10 12 agencies for necessary infrastructure, statewide coordination, 10 13 provider recruitment, service delivery, and provision of 10 14 assistance to patients in determining an appropriate medical 10 15 home:	10 16 \$ 74,517	Allocates \$74,517 for family planning network agencies to assist patients in finding an appropriate medical home. DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
10 17 (3) For distribution to the local boards of health that 10 18 provide direct services for pilot programs in three counties to 10 19 assist patients in determining an appropriate medical home:	10 20 \$ 74,517	Allocates \$74,517 for local board of health pilot programs in three counties to assist patients in finding an appropriate medical home. DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
10 21 (4) For distribution to maternal and child health centers 10 22 for pilot programs in three counties to assist patients in 10 23 determining an appropriate medical home:	10 24 \$ 74,517	Allocates \$74,517 for three child and maternal health center pilot programs to assist patients in finding an appropriate medical home. DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
10 25 (5) For distribution to free clinics for necessary 10 26 infrastructure, statewide coordination, provider recruitment, 10 27 service delivery, and provision of assistance to patients in 10 28 determining an appropriate medical home:	10 29 \$ 184,050	Allocates \$184,050 for free clinics to assist patients in finding an appropriate medical home. DETAIL: This is a decrease of \$20,450 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
10 30 (6) For distribution to rural health clinics for necessary		Allocates \$110,430 for rural health clinics to assist patients in finding

10 31	infrastructure, statewide coordination, provider recruitment,	an appropriate medical home.
10 32	service delivery, and provision of assistance to patients in	
10 33	determining an appropriate medical home:	DETAIL: This is a decrease of \$12,270 compared to the FY 2010
10 34	..... \$ 110,430	allocation for a general reduction. This allocation was previously
		funded by the HCTF.
10 35	(7) For continuation of the safety net provider patient	Allocates \$294,480 for the safety net provider patient access to
11 1	access to specialty health care initiative as described in 2007	specialty care initiative.
11 2	Iowa Acts, chapter 218, section 109:	
11 3	..... \$ 294,480	DETAIL: This is a decrease of \$32,720 compared to the FY 2010
		allocation for a general reduction. This allocation was previously
		funded by the HCTF.
11 4	(8) For continuation of the pharmaceutical infrastructure	Allocates \$294,480 for the pharmaceutical infrastructure for safety net
11 5	for safety net providers as described in 2007 Iowa Acts,	providers.
11 6	chapter 218, section 108:	
11 7	..... \$ 294,480	DETAIL: This is a decrease of \$32,720 compared to the FY 2010
		allocation for a general reduction. This allocation was previously
		funded by the HCTF.
11 8	The Iowa collaborative safety net provider network may	Permits the Iowa Collaborative Safety Net Provider Network to
11 9	continue to distribute funds allocated pursuant to this	continue existing contracts to distribute the funding.
11 10	lettered paragraph through existing contracts or renewal of	
11 11	existing contracts.	
11 12	h. (1) Of the funds appropriated in this subsection,	Allocates \$180,000 for continued implementation of the
11 13	\$180,000 shall be used for continued implementation of	recommendations of the Direct Care Worker Task Force.
11 14	the recommendations of the direct care worker task force	
11 15	established pursuant to 2005 Iowa Acts, chapter 88, based upon	DETAIL: This is a decrease of \$20,000 compared to the FY 2010
11 16	the report submitted to the governor and the general assembly	allocation for a general reduction. This allocation was previously
11 17	in December 2006. The department may use a portion of the	funded by the HCTF.
11 18	funds allocated in this paragraph for an additional position to	
11 19	assist in the continued implementation.	

11 20 (2) It is the intent of the general assembly that a
11 21 board of direct care workers shall be established within the
11 22 department of public health by July 1, 2014, contingent upon
11 23 the availability of funds to establish and maintain the board.

Requires the DPH to establish a Board of Direct Care Workers by July 1, 2014, if funds are available to establish and maintain it.

11 24 (3) The direct care worker advisory council shall submit
11 25 an interim progress report no later than March 1, 2011, and a
11 26 final report no later than March 1, 2012, to the governor and
11 27 the general assembly, that includes but is not limited to all
11 28 of the following:

Requires the Direct Care Worker Advisory Council to submit an interim progress report by March 1, 2011, and a final report by March 1, 2012, to the Governor and General Assembly and specifies the required contents of the reports.

11 29 (a) Documenting the size of the direct care workforce. The
11 30 report shall provide the best estimates of the size of the
11 31 direct care workforce in Iowa by identifying what workforce
11 32 data is currently being collected, who is currently collecting
11 33 the data, the gaps in existing data, and the collection methods
11 34 necessary to address such gaps.

11 35 (b) Identifying the information management system required
12 1 to facilitate credentialing of direct care workers and
12 2 estimating the costs of development and maintenance of the
12 3 system.

12 4 (c) Reporting the results of any pilot relating to and
12 5 evaluating the recommendations of the advisory council that
12 6 address direct care worker training and curricula.

12 7 (d) Describing activities relating to developing and
12 8 delivering an education and outreach campaign to direct care
12 9 workers and other stakeholders regarding strategies to increase
12 10 the professionalism of the direct care workforce. The goals
12 11 of such education and outreach campaign are to bring greater
12 12 stability to the workforce and meet the needs of direct care
12 13 workers that exist due to the growth in Iowa's aging and
12 14 persons with disabilities populations.

12 15 (e) Making recommendations regarding the functions
12 16 and composition of the board of direct care workers, the
12 17 definitions of and categories for credentialing direct care
12 18 workers, for deeming the experience level of members of the
12 19 existing workforce to be the equivalent of other credentials,
12 20 the form of credentialing to be used, the timeframe for

12 21 credentialing of direct care workers, and the estimated costs
 12 22 of establishing and maintaining board operations and the
 12 23 methods to be used to fund and sustain such operations.

12 24 (4) The department of public health shall report to the
 12 25 persons designated in this Act for submission of reports
 12 26 regarding use of the funds allocated in this lettered
 12 27 paragraph, on or before January 15, 2011.

Requires the DPH to submit a report to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staff, and the Legislative Services Agency (LSA) by January 15, 2011.

12 28 i. (1) Of the funds appropriated in this subsection,
 12 29 \$135,000 shall be used for allocation to an independent
 12 30 statewide direct care worker association for education,
 12 31 outreach, leadership development, mentoring, and other
 12 32 initiatives intended to enhance the recruitment and retention
 12 33 of direct care workers in health and long-term care.

Allocates \$135,000 to enhance the recruitment and retention of direct care workers in health and long-term care.

DETAIL: This is a decrease of \$15,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

12 34 (2) Of the funds appropriated in this subsection, \$63,000
 12 35 shall be used to provide scholarships or other forms of
 13 1 subsidized direct care worker educational conferences,
 13 2 training, or outreach activities.

Allocated \$63,000 for scholarships for conferences, trainings, and other outreach activities for direct care workers.

DETAIL: This is a decrease of \$7,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

13 3 (3) The association specified in this lettered paragraph
 13 4 shall report to the persons designated in this Act for
 13 5 submission of reports on or before January 1, 2011, the use of
 13 6 the funds allocated in this lettered paragraph, any progress
 13 7 made regarding the initiatives specified and in expanding the
 13 8 association statewide, and the number of scholarships provided,
 13 9 and shall include in the report a copy of the association's
 13 10 internal revenue service form 990.

Requires the Statewide Direct Care Worker Association to submit a report and a completed copy of the Association's federal tax Form 990 to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staff, and the LSA by January 1, 2011.

13 11 j. The department may utilize one of the full-time
 13 12 equivalent positions authorized in this subsection for

Permits the Department to utilize up to 1.00 FTE position for administration of activities related to the Iowa Collaborative Safety Net

<p>13 13 administration of the activities related to the Iowa 13 14 collaborative safety net provider network.</p>	<p>Provider Network.</p>
<p>13 15 k. The department may utilize one of the full-time 13 16 equivalent positions authorized in this subsection for 13 17 administration of the volunteer health care provider program 13 18 pursuant to section 135.24.</p>	<p>Permits the Department to utilize up to 1.00 FTE position for administration of the Voluntary Health Care Provider Program.</p>
<p>13 19 5. HEALTHY AGING 13 20 To provide public health services that reduce risks and 13 21 invest in promoting and protecting good health over the 13 22 course of a lifetime with a priority given to older Iowans and 13 23 vulnerable populations: 13 24 \$ 8,045,779</p>	<p>General Fund appropriation to healthy aging programs (formerly referred to as elderly wellness).</p> <p>DETAIL: This is a net increase of \$534,578 compared to estimated net FY 2010. The General Fund changes include:</p> <ul style="list-style-type: none"> • A decrease of \$300,000 to reduce funds directed to non-elderly wellness initiatives. • The following increases reflect restorations of funding due to the FY 2010 ATB reductions: <ul style="list-style-type: none"> • \$229,208 for the Local Public Health Nursing Program. • \$605,370 for the Home Care Aide Services Program.
<p>13 25 a. Of the funds appropriated in this subsection, \$2,209,696 13 26 shall be used for local public health nursing services.</p>	<p>Allocates \$2,209,696 for the Local Public Health Nursing Program.</p> <p>DETAIL: This is a decrease of \$82,380 compared to the FY 2010 allocation.</p>
<p>13 27 b. Of the funds appropriated in this subsection, \$5,836,083 13 28 shall be used for home care aide services.</p>	<p>Allocates \$5,836,083 for the Home Care Aide Services Program.</p> <p>DETAIL: This is a decrease of \$217,620 compared to the FY 2010 allocation.</p>
<p>13 29 6. ENVIRONMENTAL HAZARDS 13 30 For reducing the public's exposure to hazards in the 13 31 environment, primarily chemical hazards, and for not more than</p>	<p>General Fund appropriation to the environmental hazards programs.</p> <p>DETAIL: This is no change compared to estimated net FY 2010.</p>

13 32 the following full-time equivalent positions:

13 33 \$ 900,352

13 34 FTEs 4.50

13 35 Of the funds appropriated in this subsection, \$590,380 shall
14 1 be used for childhood lead poisoning provisions.

Requires an allocation of \$590,380 for childhood lead poisoning testing.

DETAIL: This is a decrease of \$11,251 compared to the FY 2010 allocation for a general reduction.

14 2 7. INFECTIOUS DISEASES

14 3 For reducing the incidence and prevalence of communicable
14 4 diseases, and for not more than the following full-time
14 5 equivalent positions:

14 6 \$ 1,475,095

14 7 FTEs 5.00

General Fund appropriation to the infectious diseases programs.

DETAIL: This is an increase of \$7,500 and no change in FTE positions compared to estimated net FY 2010 for a general increase to infectious diseases programs.

14 8 8. PUBLIC PROTECTION

14 9 For protecting the health and safety of the public through
14 10 establishing standards and enforcing regulations, and for not
14 11 more than the following full-time equivalent positions:

14 12 \$ 3,287,987

14 13 FTEs 130.00

General Fund appropriation to the public protection programs.

DETAIL: This is an increase of \$75,000 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- \$25,000 to sex violence prevention programming to restore funding due to the FY 2010 ATB reductions.
- \$50,000 for the certification of emergency medical care providers relating to SF 2311 (2010 Emergency Medical Services Certification).

14 14 a. Of the funds appropriated in this subsection, not more
14 15 than \$471,690 shall be credited to the emergency medical
14 16 services fund created in section 135.25. Moneys in the
14 17 emergency medical services fund are appropriated to the
14 18 department to be used for the purposes of the fund.

Requires \$471,690 to be allocated to the Emergency Medical Services (EMS) Fund.

DETAIL: This is a decrease of \$77,550 compared to the FY 2010 allocation for a general reduction. The funds are used for training and equipment provided through the EMS Program.

14 19 b. Of the funds appropriated in this subsection, \$234,229
 14 20 shall be used for sexual violence prevention programming
 14 21 through a statewide organization representing programs serving
 14 22 victims of sexual violence through the department's sexual
 14 23 violence prevention program. The amount allocated in this
 14 24 lettered paragraph shall not be used to supplant funding
 14 25 administered for other sexual violence prevention or victims
 14 26 assistance programs.

Allocates \$234,229 to provide program funding for sexual violence prevention.

DETAIL: This is an increase of \$1,752 compared to the FY 2010 allocation to restore the FY 2010 ATB reduction.

14 27 c. Of the funds appropriated in this subsection, not more
 14 28 than \$485,520 shall be used for the state poison control
 14 29 center.

Requires an allocation up to a maximum of \$485,520 for the State Poison Control Center.

DETAIL: This is a decrease of \$53,947 compared to the FY 2010 allocation for a general reduction.

NOTE: There is an additional appropriation of \$100,000 from the UST Fund to public protection for the State Poison Control Center in Section 45 of this Bill.

14 30 d. Of the funds appropriated in this subsection, \$50,000
 14 31 shall be used for education, testing, training, and other costs
 14 32 to conform the requirements for certification of emergency
 14 33 medical care providers with national standards.

Allocates \$50,000 for certification of emergency care providers.

DETAIL: This is a one-time allocation to implement provisions of SF 2311 (2010 Emergency Medical Services Certification).

14 34 9. RESOURCE MANAGEMENT
 14 35 For establishing and sustaining the overall ability of the
 15 1 department to deliver services to the public, and for not more
 15 2 than the following full-time equivalent positions:
 15 3 \$ 956,265
 15 4 FTEs 10.00

General Fund appropriation to the Department's resource management activities.

DETAIL: This is no change in funding or FTE positions compared to estimated net FY 2010.

15 5 The university of Iowa hospitals and clinics under the

Prohibits the UIHC from receiving indirect cost reimbursement from

15 6 control of the state board of regents shall not receive
 15 7 indirect costs from the funds appropriated in this section.
 15 8 The university of Iowa hospitals and clinics billings to the
 15 9 department shall be on at least a quarterly basis.

General Fund appropriations to the DPH. Requires the UIHC to submit billings on a quarterly basis for FY 2011.

15 10 DIVISION III
 15 11 DEPARTMENT OF VETERANS AFFAIRS

15 12 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is
 15 13 appropriated from the general fund of the state to the
 15 14 department of veterans affairs for the fiscal year beginning
 15 15 July 1, 2010, and ending June 30, 2011, the following amounts,
 15 16 or so much thereof as is necessary, to be used for the purposes
 15 17 designated:

15 18 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
 15 19 For salaries, support, maintenance, and miscellaneous
 15 20 purposes, including the war orphans educational assistance fund
 15 21 created in section 35.8, and for not more than the following
 15 22 full-time equivalent positions:
 15 23 \$ 960,453
 15 24 FTEs 15.20

General Fund appropriation to the Department of Veteran Affairs.

DETAIL: This is no change in funding or FTE positions compared to estimated net FY 2010.

15 25 2. IOWA VETERANS HOME
 15 26 For salaries, support, maintenance, and miscellaneous
 15 27 purposes:
 15 28 \$ 9,630,846

General Fund appropriation to the Iowa Veterans Home.

DETAIL: This is no change compared to estimated net FY 2010.

This Bill does not cap FTE positions. The tracking document indicates that there is a decrease of 23.44 FTE positions compared to the estimated net FY 2010 FTE positions.

15 29 a. The Iowa veterans home billings involving the department
 15 30 of human services shall be submitted to the department on at
 15 31 least a monthly basis.

Requires the Iowa Veterans Home to submit monthly claims relating to Medicaid to the DHS.

15 32 b. If there is a change in the employer of employees
 15 33 providing services at the Iowa veterans home under a collective
 15 34 bargaining agreement, such employees and the agreement shall
 15 35 be continued by the successor employer as though there had not
 16 1 been a change in employer.

Requires a new employer to honor an existing collective bargaining agreement at the Iowa Veterans Home.

16 2 c. Within available resources and in conformance with
 16 3 associated state and federal program eligibility requirements,
 16 4 the Iowa veterans home may implement measures to provide
 16 5 financial assistance to or on behalf of veterans or their
 16 6 spouses participating in the community reentry program.

Permits the Iowa Veterans Home to provide financial assistance to provide participation in the community reentry program within State and federal eligibility requirements.

16 7 3. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED
 16 8 VETERANS
 16 9 For provision of educational assistance pursuant to section
 16 10 35.9:
 16 11 \$ 12,731

General Fund appropriation for the State Educational Assistance for Children of Deceased Veterans Program.

DETAIL: This is no change compared to estimated net FY 2010. This appropriation was impacted by the FY 2010 ATB reduction by decreasing the carryforward by 10.00%. Historically the appropriation has been \$27,000.

16 12 Sec. 4. LIMITATION OF COUNTY COMMISSION OF VETERANS AFFAIRS
 16 13 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
 16 14 appropriation in the following designated section for the
 16 15 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 16 16 the amounts appropriated from the general fund of the state
 16 17 pursuant to that section for the following designated purposes
 16 18 shall not exceed the following amount:
 16 19 For the county commissions of veterans affairs fund under
 16 20 section 35A.16:
 16 21 \$ 900,000

General Fund appropriation for the County Commissions of Veterans Affairs Fund.

DETAIL: This is a decrease of \$90,000 compared to estimated net FY 2010. This is supplemented by Section 5, with an appropriation of \$90,000. Each of the 99 counties receives a \$10,000 grant for veteran-related expenditures.

16 22 Sec. 5. MERCHANT MARINE BONUS FUND == COUNTY GRANTS. There
 16 23 is appropriated from the merchant marine bonus fund created in
 16 24 section 35A.8 to the department of veterans affairs for the
 16 25 fiscal year beginning July 1, 2010, and ending June 30, 2011,

Merchant Marine Bonus Fund appropriation.

DETAIL: This is a new appropriation for FY 2011. The Fund has \$134,000 remaining from bonuses paid to merchant marines. The

16 26 the following amount, or so much thereof as is necessary, to be
 16 27 used for the purposes designated:
 16 28 For the county commissions of veterans affairs fund under
 16 29 section 35A.16:
 16 30 \$ 90,000

funds supplement the \$900,000 General Fund appropriation for the veterans county grants in Section 4.

16 31 DIVISION IV
 16 32 DEPARTMENT OF HUMAN SERVICES

16 33 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
 16 34 GRANT. There is appropriated from the fund created in section
 16 35 8.41 to the department of human services for the fiscal year
 17 1 beginning July 1, 2010, and ending June 30, 2011, from moneys
 17 2 received under the federal temporary assistance for needy
 17 3 families (TANF) block grant pursuant to the federal Personal
 17 4 Responsibility and Work Opportunity Reconciliation Act of 1996,
 17 5 Pub. L. No. 104=193, and successor legislation, and from moneys
 17 6 received under the emergency contingency fund for temporary
 17 7 assistance for needy families state program established
 17 8 pursuant to the federal American Recovery and Reinvestment Act
 17 9 of 2009, Pub. L. No. 111=5 2101, and successor legislation,
 17 10 the following amounts, or so much thereof as is necessary, to
 17 11 be used for the purposes designated:

TANF Block Grant Fund appropriations for FY 2011.

DETAIL: The federal government implemented Federal Welfare Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. The TANF Program was reauthorized on February 8, 2006, with work participation rates extended to separate State programs and the elimination of high performance bonuses; however, Iowa's grant remains the same at \$131,524,959 per year.

17 12 1. To be credited to the family investment program account
 17 13 and used for assistance under the family investment program
 17 14 under chapter 239B:
 17 15 \$ 24,376,341

TANF FY 2011 Block Grant appropriation for the FIP Account.

DETAIL: This is a decrease of \$4,208,062 compared to estimated net FY 2010. The decrease is due to additional emergency TANF funding.

17 16 2. To be credited to the family investment program account
 17 17 and used for the job opportunities and basic skills (JOBS)
 17 18 program and implementing family investment agreements in
 17 19 accordance with chapter 239B:
 17 20 \$ 12,411,528

TANF FY 2011 Block Grant appropriation for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$615,268 compared to estimated FY 2010 due to a reduction in the mileage rate from \$0.34 to \$0.30.

17 21 Notwithstanding section 8.33, not more than 5 percent of
 17 22 the moneys designated in this subsection that are allocated
 17 23 by the department for contracted services, other than
 17 24 family self=sufficiency grant services allocated under this
 17 25 subsection, that remain unencumbered or unobligated at the
 17 26 close of the fiscal year shall not revert but shall remain
 17 27 available for expenditure for the purposes designated until
 17 28 the close of the succeeding fiscal year. However, unless such
 17 29 moneys are encumbered or obligated on or before September 30,
 17 30 2011, the moneys shall revert.

CODE: Requires nonreversion of not more than 5.00% of funds allocated for contract services.

17 31 3. To be used for the family development and
 17 32 self=sufficiency grant program in accordance with section
 17 33 216A.107:
 17 34 \$ 2,898,980

TANF FY 2011 Block Grant appropriation for the Family Development and Self Sufficiency (FaDSS) Program.

DETAIL: This is an increase of \$450,000 compared to estimated FY 2010.

17 35 Notwithstanding section 8.33, moneys appropriated in this
 18 1 subsection that remain unencumbered or unobligated at the close
 18 2 of the fiscal year shall not revert but shall remain available
 18 3 for expenditure for the purposes designated until the close of
 18 4 the succeeding fiscal year. However, unless such moneys are
 18 5 encumbered or obligated on or before September 30, 2011, the
 18 6 moneys shall revert.

CODE: Requires nonreversion of funds allocated for the FaDSS Grant Program.

18 7 4. For field operations:
 18 8 \$ 31,296,232

TANF FY 2011 Block Grant appropriation for Field Operations.

DETAIL: This is an increase of \$9,637,096 compared to estimated FY 2010.

18 9 5. For general administration:
 18 10 \$ 3,744,000

TANF FY 2011 Block Grant appropriation for General Administration.

DETAIL: Maintains the current level of TANF support.

18 11 6. For state child care assistance:

TANF FY 2011 Block Grant appropriation for Child Care Assistance.

PG LN	House File 2526	Explanation
18 12	..... \$ 16,382,687	DETAIL: This is a decrease of \$2,603,490 compared to estimated FY 2010.
18 13 18 14 18 15 18 16 18 17 18 18 18 19 18 20 18 21 18 22 18 23 18 24 18 25 18 26	The funds appropriated in this subsection shall be transferred to the child care and development block grant appropriation made by the Eighty-third General Assembly, 2010 Session, for the federal fiscal year beginning October 1, 2010, and ending September 30, 2011. Of this amount, \$200,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.	Requires the DHS to transfer \$16,382,687 to the Child Care and Development Block Grant and to use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.
18 27 18 28 18 29	7. For mental health and developmental disabilities community services: \$ 4,894,052	TANF FY 2011 Block Grant appropriation for Mental Health and Developmental Disabilities Community Services. DETAIL: Maintains the current level of TANF support.
18 30 18 31	8. For child and family services: \$ 32,084,430	TANF FY 2011 Block Grant appropriation for Child and Family Services. DETAIL: Maintains the current level of TANF support.
18 32 18 33	9. For child abuse prevention grants: \$ 125,000	TANF FY 2011 Block Grant appropriation for Child Abuse Prevention Grants. DETAIL: This no change compared to estimated FY 2010.
18 34	10. For pregnancy prevention grants on the condition that	TANF FY 2011 Block Grant appropriation for pregnancy prevention

<p>18 35 family planning services are funded: 19 1 \$ 1,930,067</p>	<p>grants if family planning services are funded.</p>
	<p>DETAIL: This is an increase of \$602,189 compared to estimated net FY 2010.</p>
<p>19 2 Pregnancy prevention grants shall be awarded to programs 19 3 in existence on or before July 1, 2010, if the programs are 19 4 comprehensive in scope and have demonstrated positive outcomes. 19 5 Grants shall be awarded to pregnancy prevention programs 19 6 which are developed after July 1, 2010, if the programs are 19 7 comprehensive in scope and are based on existing models that 19 8 have demonstrated positive outcomes. Grants shall comply with 19 9 the requirements provided in 1997 Iowa Acts, chapter 208, 19 10 section 14, subsections 1 and 2, including the requirement that 19 11 grant programs must emphasize sexual abstinence. Priority in 19 12 the awarding of grants shall be given to programs that serve 19 13 areas of the state which demonstrate the highest percentage of 19 14 unplanned pregnancies of females of childbearing age within the 19 15 geographic area to be served by the grant.</p>	<p>Requires the recipients of pregnancy prevention grants to meet certain requirements of comprehensiveness and demonstration of positive outcomes. Requires pregnancy prevention grants from the TANF to include the requirement that sexual abstinence be emphasized. Specifies that priority in awarding the grants should be given to programs in areas of the State that have the highest percentage of unplanned adolescent pregnancies of females of childbearing age within the geographic area served by the grant.</p>
<p>19 16 11. For technology needs and other resources necessary 19 17 to meet federal welfare reform reporting, tracking, and case 19 18 management requirements: 19 19 \$ 1,037,186</p>	<p>TANF FY 2011 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.</p>
	<p>DETAIL: Maintains the current level of TANF support.</p>
<p>19 20 12. To be credited to the state child care assistance 19 21 appropriation made in this section to be used for funding of 19 22 community-based early childhood programs targeted to children 19 23 from birth through five years of age developed by community 19 24 empowerment areas as provided in section 28.9: 19 25 \$ 6,350,000</p>	<p>TANF FY 2011 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.</p>
	<p>DETAIL: This is a decrease of \$500,000 compared to estimated FY 2010.</p>
<p>19 26 The department shall transfer TANF block grant funding</p>	<p>Requires the DHS to transfer TANF funds to the Child Care and</p>

19 27 appropriated and allocated in this subsection to the child care
19 28 and development block grant appropriation in accordance with
19 29 federal law as necessary to comply with the provisions of this
19 30 subsection.

Development Block Grant.

19 31 13. a. Notwithstanding any provision to the contrary,
19 32 including but not limited to requirements in section 8.41 or
19 33 provisions in 2009 or 2010 Iowa Acts regarding the receipt
19 34 and appropriation of federal block grants, federal funds
19 35 from the emergency contingency fund for temporary assistance
20 1 for needy families state program established pursuant to the
20 2 federal American Recovery and Reinvestment Act of 2009, Pub.
20 3 L. No. 111=5 2101, received by the state during the fiscal
20 4 year beginning July 1, 2009, and ending June 30, 2010, not
20 5 otherwise appropriated in this section and remaining available
20 6 as of July 1, 2010, and received by the state during the fiscal
20 7 year beginning July 1, 2010, and ending June 30, 2011, are
20 8 appropriated to the extent as may be necessary to be used in
20 9 the following priority order: the family investment program
20 10 for the fiscal year and for state child care assistance program
20 11 payments for individuals enrolled in the family investment
20 12 program who are employed. The federal funds appropriated in
20 13 this paragraph "a" shall be expended only after all other
20 14 funds appropriated in subsection 1 for the assistance under
20 15 the family investment program under chapter 239B have been
20 16 expended.

CODE: Appropriates sufficient funding from the emergency TANF funds received under the American Recovery and Reinvestment Act of 2009 (ARRA) to the DHS for the following:

- To fully fund the FIP for FY 2011. It is estimated the DHS will receive \$17,678,279 for this purpose.
- For the Child Care Assistance Program for individuals enrolled in FIP.

20 17 b. The department shall, on a quarterly basis, advise the
20 18 legislative services agency and department of management of
20 19 the amount of funds appropriated in this subsection that was
20 20 expended in the prior quarter.

Requires the DHS to submit quarterly reports to the LSA and the Department of Management (DOM) regarding expenditures in this Section.

20 21 c. For the purposes of this lettered paragraph, "employment
20 22 and training-related programs" means summer youth programs and
20 23 other employment and training-related programs, as allowed
20 24 by federal law, that are administered by the department of

Defines the employment and training-related programs as the Summer Youth Employment Program and other employment and training-related programs.

20 25 workforce development.

20 26 (1) To the extent other federal funding is not available
20 27 for employment and training-related programs administered by
20 28 the department of workforce development and provided the match
20 29 requirement is met through the employment programs, in addition
20 30 to the amount appropriated in paragraph "a", funding is
20 31 appropriated from the same source and for the same fiscal year
20 32 addressed in paragraph "a", to the department of human services
20 33 to be used for employment and training-related programs
20 34 administered by the department of workforce development for
20 35 the fiscal year beginning July 1, 2010, in accordance with the
21 1 requirements of this lettered paragraph.

Specifies that the paragraph relating to the Summer Youth Employment Program is only applicable if no other federal funding has been received.

21 2 (2) The department of human services shall collaborate
21 3 with the department of workforce development to secure
21 4 additional federal funds from the emergency contingency fund
21 5 for the temporary assistance for needy families state program
21 6 established pursuant to the federal American Recovery and
21 7 Reinvestment Act of 2009, Pub. L. No. 111=5 2101. This
21 8 collaboration shall be for the purpose of securing emergency
21 9 contingency funds to subsidize the administrative costs and
21 10 wages paid on behalf of individuals participating in the
21 11 employment and training-related programs administered by
21 12 the department of workforce development. Subsidized wages,
21 13 administrative costs, and other costs of the employment and
21 14 training-related programs shall be eligible for reimbursement
21 15 under the terms of the federal American Recovery and
21 16 Reinvestment Act of 2009, Pub. L. No. 111=5 2101, or
21 17 successor legislation, which may extend the availability of
21 18 emergency contingency funds. The collaboration between the two
21 19 agencies shall be formalized through a memorandum of agreement.

Requires the DHS to collaborate with the Iowa Department of Workforce Development (IWD) to draw additional federal funds from the Emergency Contingency TANF Fund. The funds are to be used to subsidize administrative costs and wages paid on behalf of individuals participating in the Summer Youth Employment Program.

21 20 (3) Federal funds received as the result of this
21 21 collaboration shall be transferred to the department of

Requires funds received for the Summer Youth Employment Program to be transferred to IWD to subsidize administrative costs and wages paid on behalf of individuals participating in the Program.

21 22 workforce development to be used for the purpose of covering
 21 23 administrative costs and the costs of wages and other costs
 21 24 relating to the employment and training-related programs
 21 25 administered by the department of workforce development. The
 21 26 department of workforce development shall ensure that all
 21 27 expenditures comply with applicable federal requirements and
 21 28 shall be responsible for the repayment of any funds spent
 21 29 in error and any corresponding penalty as well as taking
 21 30 corrective action to address the error. Funds received in
 21 31 excess of the amount of administrative costs and the costs
 21 32 of wages and other federally allowed costs relating to the
 21 33 employment and training-related programs that are eligible for
 21 34 reimbursement under the terms of the federal American Recovery
 21 35 and Reinvestment Act of 2009, Pub. L. No. 111=5 2101, or
 22 1 successor legislation, which may extend the availability
 22 2 of emergency contingency funds, shall be returned by the
 22 3 department of workforce development to the federal government
 22 4 following procedures developed by the federal temporary
 22 5 assistance for needy families agency for that purpose.

22 6 (4) The department of workforce development shall provide
 22 7 the department of human services with the necessary information
 22 8 to support the request for emergency contingency funds and to
 22 9 report the expenditure of these funds once received pursuant to
 22 10 federal reporting requirements. The responsibilities of both
 22 11 agencies shall be specified in the memorandum of agreement.

22 12 14. Of the amounts appropriated in this section,
 22 13 \$12,962,008 for the fiscal year beginning July 1, 2010, shall
 22 14 be transferred to the appropriation of the federal social
 22 15 services block grant made for that fiscal year.

22 16 15. The department may transfer funds allocated in this
 22 17 section to the appropriations made in this Act for general
 22 18 administration and field operations for resources necessary to

Requires the IWD to provide the DHS with any necessary information to support the request for emergency TANF funds.

Requires \$12,962,008 of the federal TANF funds appropriated in this Section to be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Maintains the current level of TANF support.

Permits the DHS to transfer funds to General Administration and Field Operations for costs associated with TANF-funded programs and the FIP.

22 19 implement and operate the services referred to in this section
 22 20 and those funded in the appropriation made in this division of
 22 21 this Act for the family investment program from the general
 22 22 fund of the state.

22 23 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.
 22 24 1. Moneys credited to the family investment program (FIP)
 22 25 account for the fiscal year beginning July 1, 2010, and
 22 26 ending June 30, 2011, shall be used to provide assistance in
 22 27 accordance with chapter 239B.

Requires funds credited to the FIP Account for FY 2011 to be used as specified.

22 28 2. The department may use a portion of the moneys credited
 22 29 to the FIP account under this section as necessary for
 22 30 salaries, support, maintenance, and miscellaneous purposes.

Permits the DHS to use FIP funds for various administrative purposes.

22 31 3. The department may transfer funds allocated in
 22 32 this section to the appropriations in this Act for general
 22 33 administration and field operations for resources necessary to
 22 34 implement and operate the services referred to in this section
 22 35 and those funded in the appropriation made in this division of
 23 1 this Act for the family investment program from the general
 23 2 fund of the state.

Permits the DHS to transfer funds to General Administration and Field Operations for costs associated with this Section.

23 3 4. Moneys appropriated in this division of this Act and
 23 4 credited to the FIP account for the fiscal year beginning July
 23 5 1, 2010, and ending June 30, 2011, are allocated as follows:

Requires the TANF Block Grant funds appropriated to the FIP Account to be allocated as specified.

23 6 a. To be retained by the department of human services to
 23 7 be used for coordinating with the department of human rights
 23 8 to more effectively serve participants in the FIP program and
 23 9 other shared clients and to meet federal reporting requirements
 23 10 under the federal temporary assistance for needy families block
 23 11 grant:

Allocates \$20,000 to the DHS to be used for administrative services.

DETAIL: Maintains the current level of support.

23 12 \$ 20,000

<p>23 13 b. To the department of human rights for staffing, 23 14 administration, and implementation of the family development 23 15 and self=sufficiency grant program in accordance with section 23 16 216A.107: 23 17 \$ 5,397,251</p>	<p>Allocates \$5,397,251 of the FY 2011 General Fund appropriation and TANF funds to the Department of Human Rights for the FaDSS Grant Program. DETAIL: This is a decrease of \$99,695 compared to the FY 2010 allocation.</p>
<p>23 18 (1) Of the funds allocated for the family development and 23 19 self=sufficiency grant program in this lettered paragraph, 23 20 not more than 5 percent of the funds shall be used for the 23 21 administration of the grant program.</p>	<p>Specifies that a maximum of 5.00% of the allocation be spent on administration of FaDSS Program grants.</p>
<p>23 22 (2) The department of human rights may continue to implement 23 23 the family development and self=sufficiency grant program 23 24 statewide during fiscal year 2010=2011.</p>	<p>Permits the Department of Human Rights to continue to implement the FaDSS Grant Program in FY 2010.</p>
<p>23 25 c. For the diversion subaccount of the FIP account: 23 26 \$ 1,698,400</p>	<p>Allocates \$1,698,400 of FY 2011 TANF funds for the FIP Diversion Subaccount. DETAIL: This is a decrease of \$115,600 compared to the FY 2010 allocation.</p>
<p>23 27 A portion of the moneys allocated for the subaccount may 23 28 be used for field operations salaries, data management system 23 29 development, and implementation costs and support deemed 23 30 necessary by the director of human services in order to 23 31 administer the FIP diversion program.</p>	<p>Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.</p>
<p>23 32 d. For the food stamp employment and training program: 23 33 \$ 68,059</p>	<p>Allocates \$68,059 of FY 2011 FIP funds to the Food Stamp Employment and Training Program. DETAIL: Maintains the current level of support.</p>
<p>23 34 (1) The department shall amend the food stamp employment and</p>	<p>Requires the Department to amend the Food Stamp Employment and</p>

<p>23 35 training state plan in order to maximize to the fullest extent 24 1 permitted by federal law the use of the 50=50 match provisions 24 2 for the claiming of allowable federal matching funds from the 24 3 United States department of agriculture pursuant to the federal 24 4 food stamp employment and training program for providing 24 5 education, employment, and training services for eligible food 24 6 assistance program participants, including but not limited to 24 7 related dependent care and transportation expenses.</p>	<p>Training State Plan to maximize federal matching funds received.</p>
<p>24 8 (2) The department shall utilize additional funding 24 9 available through Pub. L. No. 111=118, 1001 for related 24 10 administrative costs as necessary to expand categorical 24 11 federal food assistance program eligibility provisions to 24 12 160 percent of the federal poverty level and eliminate the 24 13 asset test from eligibility requirements, consistent with 24 14 federal food assistance program requirements. The department 24 15 shall design the expanded eligibility provisions to include 24 16 as many food assistance households as is allowed by federal 24 17 law. The eligibility provisions shall conform to all federal 24 18 requirements including requirements addressing individuals who 24 19 are incarcerated or otherwise ineligible.</p>	<p>Requires the DHS to expand the food assistance program eligibility to persons with income up to 160.00% of the Federal Poverty Level (FPL) and eliminate the asset test. The DHS is to conform to all federal requirements including requirements addressing individuals that are incarcerated.</p>
<p>24 20 e. For the JOBS program: 24 21 \$ 20,652,993</p>	<p>Permits the DHS to allocate \$20,652,993 of the FY 2011 General Fund appropriation and TANF funds for the PROMISE JOBS Program.</p> <p>DETAIL: This is a decrease of \$985,270 compared to the FY 2010 allocation.</p>
<p>24 22 5. Of the child support collections assigned under FIP, 24 23 an amount equal to the federal share of support collections 24 24 shall be credited to the child support recovery appropriation 24 25 made in this division of this Act. Of the remainder of the 24 26 assigned child support collections received by the child 24 27 support recovery unit, a portion shall be credited to the FIP 24 28 account, a portion may be used to increase recoveries, and a</p>	<p>Requires the federal share of child support collections recovered by the State to be credited to the Child Support Recovery Unit. The remainder of support collected is credited to the FIP account and the DHS is permitted to use a portion to increase recoveries and to sustain cash flow in the child support payments account.</p>

24 29 portion may be used to sustain cash flow in the child support
 24 30 payments account. If as a consequence of the appropriations
 24 31 and allocations made in this section the resulting amounts
 24 32 are insufficient to sustain cash assistance payments and meet
 24 33 federal maintenance of effort requirements, the department
 24 34 shall seek supplemental funding. If child support collections
 24 35 assigned under FIP are greater than estimated or are otherwise
 25 1 determined not to be required for maintenance of effort, the
 25 2 state share of either amount may be transferred to or retained
 25 3 in the child support payment account.

25 4 6. The department may adopt emergency rules for the family
 25 5 investment, JOBS, food stamp, and medical assistance programs
 25 6 if necessary to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP, Food Stamp Program, and Medical Assistance Program.

25 7 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
 25 8 is appropriated from the general fund of the state to the
 25 9 department of human services for the fiscal year beginning July
 25 10 1, 2010, and ending June 30, 2011, the following amount, or
 25 11 so much thereof as is necessary, to be used for the purpose
 25 12 designated:
 25 13 To be credited to the family investment program (FIP)
 25 14 account and used for family investment program assistance under
 25 15 chapter 239B:
 25 16 \$ 31,735,539

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

DETAIL: This is a net increase of \$602,109 and a decrease of 4.50 FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$4,119,206 due to a net increase in emergency TANF funding through ARRA.
- An increase of \$10,794,158 due to caseload growth.
- An increase of \$8,215,882 due to a loss of carryforward from FY 2009 to FY 2010.
- A decrease of \$13,448,490 due to additional funds from the elimination of a transfer to child care.
- An increase of \$77,907 for increased PROMISE JOBA participation.
- A decrease of \$853,933 from a reduction in the electronic benefits transfer (EBT) vendor contract.
- A decrease of \$64,209 due to increased use of electronic funds transfers.

The appropriation for the FIP Account also contains funding for the

	PROMISE JOBS and FaDSS Programs. The appropriation maintains the current FIP payment levels (maximum grants of \$361 per month for a family with two persons and \$426 for a family with three persons).
25 17 1. Of the funds appropriated in this section, \$8,241,465 is	
25 18 allocated for the JOBS program.	General Fund allocation of \$8,241,465 for the PROMISE JOBS Program.
	DETAIL: This is a decrease of \$312,270 compared to the FY 2010 allocation.
25 19 2. Of the funds appropriated in this section, \$2,518,271 is	
25 20 allocated for the family development and self=sufficiency grant	General Fund allocation of \$2,518,271 for the FaDSS Program.
25 21 program.	DETAIL: Maintains current level of support.
25 22 3. Notwithstanding section 8.39, for the fiscal year	
25 23 beginning July 1, 2010, if necessary to meet federal	
25 24 maintenance of effort requirements or to transfer federal	
25 25 temporary assistance for needy families block grant funding	
25 26 to be used for purposes of the federal social services block	
25 27 grant or to meet cash flow needs resulting from delays in	
25 28 receiving federal funding or to implement, in accordance with	
25 29 this division of this Act, activities currently funded with	
25 30 juvenile court services, county, or community moneys and state	
25 31 moneys used in combination with such moneys, the department	
25 32 of human services may transfer funds within or between any	
25 33 of the appropriations made in this division of this Act and	
25 34 appropriations in law for the federal social services block	
25 35 grant to the department for the following purposes, provided	
26 1 that the combined amount of state and federal temporary	
26 2 assistance for needy families block grant funding for each	
26 3 appropriation remains the same before and after the transfer:	
26 4 a. For the family investment program.	
26 5 b. For child care assistance.	
26 6 c. For child and family services.	
	CODE: Specifies that the DHS has the authority to transfer TANF funds to the Social Services Block Grant as necessary to meet Maintenance of Effort requirements.

<p>26 7 d. For field operations. 26 8 e. For general administration. 26 9 f. MH/MR/DD/BI community services (local purchase). 26 10 This subsection shall not be construed to prohibit the use 26 11 of existing state transfer authority for other purposes. The 26 12 department shall report any transfers made pursuant to this 26 13 subsection to the legislative services agency.</p>	
<p>26 14 4. Of the funds appropriated in this section, \$200,000 shall 26 15 be used for continuation of a grant to an Iowa-based nonprofit 26 16 organization with a history of providing tax preparation 26 17 assistance to low-income Iowans in order to expand the usage of 26 18 the earned income tax credit. The purpose of the grant is to 26 19 supply this assistance to underserved areas of the state.</p>	<p>General Fund allocation of \$200,000 to provide tax preparation assistance for low-income Iowans.</p> <p>DETAIL: This is a decrease of \$19,423 compared to the FY 2010 allocation.</p>
<p>26 20 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated 26 21 from the general fund of the state to the department of human 26 22 services for the fiscal year beginning July 1, 2010, and ending 26 23 June 30, 2011, the following amount, or so much thereof as is 26 24 necessary, to be used for the purposes designated: 26 25 For child support recovery, including salaries, support, 26 26 maintenance, and miscellaneous purposes, and for not more than 26 27 the following full-time equivalent positions: 26 28 \$ 11,877,414 26 29 FTEs 520.00</p>	<p>General Fund appropriation to the DHS for the Child Support Recovery Unit.</p> <p>DETAIL: This is a decrease of \$201,000 and no change in FTE positions compared to estimated net FY 2010. The changes include:</p> <ul style="list-style-type: none"> • A decrease of \$23,000 due to efficiencies from electronic payments from businesses. • A decrease of \$228,000 to reflect a modification of handling funding from the Child Support Recovery Unit Fund. • An increase of \$50,000 to offset loss of federal ARRA dollars.
<p>26 30 1. The department shall expend up to \$24,329, including 26 31 federal financial participation, for the fiscal year beginning 26 32 July 1, 2010, for a child support public awareness campaign. 26 33 The department and the office of the attorney general shall 26 34 cooperate in continuation of the campaign. The public 26 35 awareness campaign shall emphasize, through a variety of 27 1 media activities, the importance of maximum involvement of 27 2 both parents in the lives of their children as well as the</p>	<p>Requires the DHS to expend up to \$24,329 during FY 2011 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.</p> <p>DETAIL: This is a decrease of \$2,703 compared to the FY 2010 allocation.</p>

27 3 importance of payment of child support obligations.

27 4 2. Federal access and visitation grant moneys shall be
27 5 issued directly to private not-for-profit agencies that provide
27 6 services designed to increase compliance with the child access
27 7 provisions of court orders, including but not limited to
27 8 neutral visitation sites and mediation services.

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

27 9 3. The appropriation made to the department for child
27 10 support recovery may be used throughout the fiscal year in the
27 11 manner necessary for purposes of cash flow management, and for
27 12 cash flow management purposes the department may temporarily
27 13 draw more than the amount appropriated, provided the amount
27 14 appropriated is not exceeded at the close of the fiscal year.

Permits the DHS to use the appropriation as necessary and draw more than appropriated if needed to solve any cash flow problems, provided the amount appropriated is not exceeded at the end of the fiscal year.

27 15 4. With the exception of the funding amount specified,
27 16 the requirements established under 2001 Iowa Acts, chapter
27 17 191, section 3, subsection 5, paragraph "c", subparagraph (3),
27 18 shall be applicable to parental obligation pilot projects for
27 19 the fiscal year beginning July 1, 2010, and ending June 30,
27 20 2011. Notwithstanding 441 IAC 100.8, as in effect on June 30,
27 21 2009, providing for termination of rules relating to the pilot
27 22 projects the earlier of October 1, 2006, or when legislative
27 23 authority is discontinued, the rules relating to the pilot
27 24 projects, as in effect on June 30, 2009, shall remain in effect
27 25 until June 30, 2011.

Specifies that the Department is to continue to operate the Child Support Recovery Unit under the guidelines established in the 2001 Iowa Acts.

27 26 Sec. 10. HEALTH CARE TRUST FUND == MEDICAL ASSISTANCE. Any
27 27 funds remaining in the health care trust fund created in
27 28 section 453A.35A for the fiscal year beginning July 1, 2010,
27 29 and ending June 30, 2011, are appropriated to the department
27 30 of human services to supplement the medical assistance program
27 31 appropriations made in this Act, for medical assistance
27 32 reimbursement and associated costs, including program
27 33 administration and costs associated with implementation.

Appropriates the balance of the HCTF to the Medicaid Program for FY 2010 after all other appropriations from the Fund are made.

DETAIL: It is estimated that there will be \$107,615,211 available. This is an increase of \$6,964,471 compared to estimated net FY 2010.

27 34 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from the
 27 35 general fund of the state to the department of human services
 28 1 for the fiscal year beginning July 1, 2010, and ending June 30,
 28 2 2011, the following amount, or so much thereof as is necessary,
 28 3 to be used for the purpose designated:
 28 4 For medical assistance reimbursement and associated costs
 28 5 as specifically provided in the reimbursement methodologies
 28 6 in effect on June 30, 2010, except as otherwise expressly
 28 7 authorized by law, including reimbursement for abortion
 28 8 services which shall be available under the medical assistance
 28 9 program only for those abortions which are medically necessary:
 28 10 \$412,546,344

General Fund appropriation to the DHS for the Medical Assistance (Medicaid) Program.

DETAIL: This is a net decrease of \$197,549,790 compared to estimated net FY 2010. The changes include:

- An increase of \$49,085,225 for increases in utilization and enrollment.
- An increase of \$1,833,333 to replace a one-time transfer for hospital rebase from the Veterans Home.
- A decrease of \$3,829,725 for the annual adjustment to the Federal Medical Assistance Percentage (FMAP) match rate.
- A decrease of \$10,719,202 to annualize the ATB reduction.
- A decrease of \$21,393,608 due to additional funds available from the Senior Living Trust Fund.
- A decrease of \$1,801,402 to transfer funds to State Supplementary Assistance.
- A decrease of \$14,957,400 from savings related to SF 2088 (Government Reorganization and Efficiency Act).
- A decrease of \$7,964,338 due to additional funds available from the HCTF.
- A decrease of \$187,800,000 due to additional funds from the Cash Reserve Fund.
- A decrease of \$10,806,990 from a net decrease in ARRA funding.
- An increase of \$40,281,386 to match revisions to estimates by the Medicaid forecasting workgroup.
- A decrease of \$23,102,069 due to a general reduction to Medicaid.
- A decrease of \$6,400,000 due to additional fund available from the Quality Assurance Trust Fund.
- An increase of \$25,000 for administrative cost to implement an expansion of the Family Planning Program up to 300.0% of the FPL and to under the age of 55.

NOTE: House File 2531 (FY 2011 Standing Appropriations Bill) reduces the Medicaid General Fund appropriation by \$18,863,117 for a new General Fund total of \$393,683,227. The reduction is due to additional funding available from the Hospital Health Care Access Trust Fund.

28 11 1. Medically necessary abortions are those performed under
28 12 any of the following conditions:

28 13 a. The attending physician certifies that continuing the
28 14 pregnancy would endanger the life of the pregnant woman.

28 15 b. The attending physician certifies that the fetus is
28 16 physically deformed, mentally deficient, or afflicted with a
28 17 congenital illness.

28 18 c. The pregnancy is the result of a rape which is reported
28 19 within 45 days of the incident to a law enforcement agency or
28 20 public or private health agency which may include a family
28 21 physician.

28 22 d. The pregnancy is the result of incest which is reported
28 23 within 150 days of the incident to a law enforcement agency
28 24 or public or private health agency which may include a family
28 25 physician.

28 26 e. Any spontaneous abortion, commonly known as a
28 27 miscarriage, if not all of the products of conception are
28 28 expelled.

28 29 2. The department shall utilize not more than \$60,000 of
28 30 the funds appropriated in this section to continue the AIDS/HIV
28 31 health insurance premium payment program as established in 1992
28 32 Iowa Acts, Second Extraordinary Session, chapter 1001, section
28 33 409, subsection 6. Of the funds allocated in this subsection,
28 34 not more than \$5,000 may be expended for administrative
28 35 purposes.

29 1 3. Of the funds appropriated in this Act to the department
29 2 of public health for addictive disorders, \$950,000 for the
29 3 fiscal year beginning July 1, 2010, shall be transferred to
29 4 the department of human services for an integrated substance
29 5 abuse managed care system. The department shall not assume
29 6 management of the substance abuse system in place of the
29 7 managed care contractor unless such a change in approach is
29 8 specifically authorized in law. The departments of human
29 9 services and public health shall work together to maintain

Specifies conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: This is the same language that has been included for several years.

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the AIDS/HIV Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

DETAIL: Maintains the current level of General Fund support.

Requires \$950,000 of the Substance Abuse Grants appropriation to DPH to be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program. Also, requires the DHS to assume management of the Program.

DETAIL: Maintains the current level of General Fund support. The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996.

29 10 the level of mental health and substance abuse services
 29 11 provided by the managed care contractor through the Iowa plan
 29 12 for behavioral health. Each department shall take the steps
 29 13 necessary to continue the federal waivers as necessary to
 29 14 maintain the level of services.

29 15 4. a. The department shall aggressively pursue options for
 29 16 providing medical assistance or other assistance to individuals
 29 17 with special needs who become ineligible to continue receiving
 29 18 services under the early and periodic screening, diagnostic,
 29 19 and treatment program under the medical assistance program
 29 20 due to becoming 21 years of age who have been approved for
 29 21 additional assistance through the department's exception to
 29 22 policy provisions, but who have health care needs in excess
 29 23 of the funding available through the exception to policy
 29 24 provisions.

29 25 b. Of the funds appropriated in this section, \$100,000
 29 26 shall be used for participation in one or more pilot projects
 29 27 operated by a private provider to allow the individual or
 29 28 individuals to receive service in the community in accordance
 29 29 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
 29 30 (1999), for the purpose of providing medical assistance or
 29 31 other assistance to individuals with special needs who become
 29 32 ineligible to continue receiving services under the early and
 29 33 periodic screening, diagnosis, and treatment program under
 29 34 the medical assistance program due to becoming 21 years of
 29 35 age who have been approved for additional assistance through
 30 1 the department's exception to policy provisions, but who have
 30 2 health care needs in excess of the funding available through
 30 3 the exception to the policy provisions.

30 4 5. Of the funds appropriated in this section, up to
 30 5 \$3,050,082 may be transferred to the field operations
 30 6 or general administration appropriations in this Act for
 30 7 operational costs associated with Part D of the federal
 30 8 Medicare Prescription Drug Improvement and Modernization Act

Requires the DHS to aggressively pursue options for assisting special needs individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program as a result of turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process, but have health care needs exceeding available funding. This Section requires the Department to allocate \$100,000 to fund one or more pilot projects focused on providing care in the community.

DETAIL: Maintains the current level of General Fund support.

Permits the DHS to transfer up to \$3,050,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

30 9 of 2003, Pub. L. No. 108=173.

30 10 6. Of the funds appropriated in this section, not more
30 11 than \$166,600 shall be used to enhance outreach efforts. The
30 12 department may transfer funds allocated in this subsection to
30 13 the appropriations in this division of this Act for general
30 14 administration, the children's health insurance program, or
30 15 medical contracts, as necessary, to implement the outreach
30 16 efforts.

Prohibits the DHS from expending more than \$166,600 for outreach for the Medicaid and Healthy and Well Kids in Iowa (hawk-i) Programs.

30 17 7. Of the funds appropriated in this section, up to \$442,100
30 18 may be transferred to the appropriation in this Act for medical
30 19 contracts to be used for clinical assessment services related
30 20 to remedial services in accordance with federal law.

Permits a maximum of \$442,100 of Medicaid funds to be transferred to Clinical Assessment Services.

DETAIL: Maintains the current allocation level.

30 21 8. A portion of the funds appropriated in this section
30 22 may be transferred to the appropriations in this division of
30 23 this Act for general administration, medical contracts, the
30 24 children's health insurance program, or field operations to be
30 25 used for the state match cost to comply with the payment error
30 26 rate measurement (PERM) program for both the medical assistance
30 27 and children's health insurance programs as developed by the
30 28 centers for Medicare and Medicaid services of the United States
30 29 department of health and human services to comply with the
30 30 federal Improper Payments Information Act of 2002, Pub. L. No.
30 31 107=300.

Permits the DHS to use a portion of the funds appropriated to carry out the Payment Error Rate Measurement (PERM) Program. This brings the DHS into compliance with the federal Improper Payments Information Act of 2002.

30 32 9. It is the intent of the general assembly that the
30 33 department continue to implement the recommendations of
30 34 the assuring better child health and development initiative
30 35 II (ABCDII) clinical panel to the Iowa early and periodic
31 1 screening, diagnostic, and treatment services healthy mental
31 2 development collaborative board regarding changes to billing
31 3 procedures, codes, and eligible service providers.

Specifies legislative intent that the DHS continue to implement the recommendations of the ABCD II Clinical Panel for changes to billing procedures, codes, and eligible service providers.

<p>31 4 10. Of the funds appropriated in this section, a sufficient 31 5 amount is allocated to supplement the incomes of residents of 31 6 nursing facilities, intermediate care facilities for persons 31 7 with mental illness, and intermediate care facilities for 31 8 persons with mental retardation, with incomes of less than \$50 31 9 in the amount necessary for the residents to receive a personal 31 10 needs allowance of \$50 per month pursuant to section 249A.30A.</p>	<p>Requires the DHS to provide residents in nursing facilities, ICF/MRs, and ICF/MIs with a personal needs allowance of \$50 per month.</p> <p>DETAIL: There are no changes in this provision from FY 2010.</p>
<p>31 11 11. Of the funds appropriated in this section, the following 31 12 amounts shall be transferred to the appropriations made in this 31 13 division of this Act for the state mental health institutes: 31 14 a. Cherokee mental health institute \$ 9,098,425 31 15 b. Clarinda mental health institute \$ 1,977,305 31 16 c. Independence mental health institute \$ 9,045,894 31 17 d. Mount Pleasant mental health institute \$ 5,752,587</p>	<p>Transfers Medicaid funds to the four Mental Health Institutes.</p> <p>DETAIL: Maintains the current level of General Fund support.</p>
<p>31 18 12. a. Of the funds appropriated in this section, 31 19 \$7,108,069 is allocated for the state match for a 31 20 disproportionate share hospital payment of \$19,133,430 to 31 21 hospitals that meet both of the conditions specified in 31 22 subparagraphs (1) and (2). In addition, the hospitals that 31 23 meet the conditions specified shall either certify public 31 24 expenditures or transfer to the medical assistance program 31 25 an amount equal to provide the nonfederal share for a 31 26 disproportionate share hospital payment of \$7,500,000. The 31 27 hospitals that meet the conditions specified shall receive and 31 28 retain 100 percent of the total disproportionate share hospital 31 29 payment of \$26,633,430. 31 30 (1) The hospital qualifies for disproportionate share and 31 31 graduate medical education payments. 31 32 (2) The hospital is an Iowa state-owned hospital with more 31 33 than 500 beds and eight or more distinct residency specialty 31 34 or subspecialty programs recognized by the American college of 31 35 graduate medical education.</p>	<p>Allocates \$7,108,069 of Medicaid funds for the State match for the Disproportionate Share Hospital (DSH) payment of \$19,133,430. In addition, the UIHC is to either use Certified Public Expenditures or transfer \$7,500,000 to the Medicaid Program to provide the nonfederal share of the DSH payment. The UIHC will retain 100.00% of the DSH payment of \$26,633,430.</p>
<p>32 1 b. Distribution of the disproportionate share payments</p>	<p>Specifies that DSH payments are to be distributed on a monthly basis</p>

32 2 shall be made on a monthly basis. The total amount of	and the DSH payments are not to exceed the federal limit.
32 3 disproportionate share payments including graduate medical	
32 4 education, enhanced disproportionate share, and Iowa	
32 5 state-owned teaching hospital payments shall not exceed the	
32 6 amount of the state's allotment under Pub. L. No. 102=234.	
32 7 In addition, the total amount of all disproportionate	
32 8 share payments shall not exceed the hospital-specific	
32 9 disproportionate share limits under Pub. L. No. 103=66.	
32 10 13. The university of Iowa hospitals and clinics shall	Requires the UIHC to use Certified Public Expenditures or transfer
32 11 either certify public expenditures or transfer to the medical	funds to the Medicaid Program to fund the nonfederal share for
32 12 assistance appropriation an amount equal to provide the	increased Medicaid payments for inpatient and outpatient services of
32 13 nonfederal share for increased medical assistance payments for	\$7,500,000. The UIHC will retain 100.00% of the increased Medicaid
32 14 inpatient and outpatient hospital services of \$7,500,000. The	payments.
32 15 university of Iowa hospitals and clinics shall receive and	
32 16 retain 100 percent of the total increase in medical assistance	
32 17 payments.	
32 18 14. Of the funds appropriated in this section, up to	Transfers up to \$4,601,848 of Medicaid funds to the IowaCare
32 19 \$4,601,848 may be transferred to the IowaCare account created	Program.
32 20 in section 249J.24.	
32 21 15. Of the funds appropriated in this section, \$200,000	Allocates \$200,000 of Medicaid funds to the Iowa Chronic Care
32 22 shall be used for the Iowa chronic care consortium pursuant to	Consortium.
32 23 2003 Iowa Acts, chapter 112, section 12, as amended by 2003	
32 24 Iowa Acts, chapter 179, sections 166 and 167.	DETAIL: This is a decrease of \$50,000 compared to the FY 2009
 	allocation.
32 25 16. One hundred percent of the nonfederal share of payments	Allocates Medicaid funds to Area Education Agencies.
32 26 to area education agencies that are medical assistance	
32 27 providers for medical assistance-covered services provided to	
32 28 medical assistance-covered children, shall be made from the	
32 29 appropriation made in this section.	
32 30 17. Any new or renewed contract entered into by the	Specifies that any new or renewed contract with a third party

32 31 department with a third party to administer behavioral health
32 32 services under the medical assistance program shall provide
32 33 that any interest earned on payments from the state during
32 34 the state fiscal year shall be remitted to the department
32 35 and treated as recoveries to offset the costs of the medical
33 1 assistance program.

behavioral health administrator requires interest earned to be remitted to the DHS to offset costs of the Medicaid Program.

33 2 18. The department shall continue to implement the
33 3 provisions in 2007 Iowa Acts, chapter 218, section 124 and
33 4 section 126, as amended by 2008 Iowa Acts, chapter 1188,
33 5 section 55, relating to eligibility for certain persons with
33 6 disabilities under the medical assistance program in accordance
33 7 with the federal family opportunity Act.

Requires the DHS to continue the implementation of the federal Family Opportunity Act.

DETAIL: The Family Opportunity Act is a Medicaid buy-in Program for children with family income of up to 300.00% of the FPL and that also meet Supplementary Security Income (SSI) eligibility requirements.

33 8 19. A portion of the funds appropriated in this section
33 9 may be transferred to the appropriation in this division of
33 10 this Act for medical contracts to be used for administrative
33 11 activities associated with the money follows the person
33 12 demonstration project.

Specifies that a portion of the Medicaid funding may be transferred to Medical Contracts for administrative activities related to the Money Follows the Person Demonstration Project.

33 13 20. Notwithstanding section 8.33, the portion of the
33 14 funds appropriated in this section that is the result of the
33 15 application of the increased federal medical assistance match
33 16 percentage under the federal American Recovery and Reinvestment
33 17 Act of 2009, to the amount the state pays the federal
33 18 government as required under the federal Medicare Prescription
33 19 Drug Improvement and Modernization Act of 2003, known as
33 20 clawback payments, for the period October 1, 2008, through
33 21 December 31, 2010, that remains unobligated or unencumbered at
33 22 the close of the fiscal year, shall not revert to any fund but
33 23 shall remain available for expenditure for the purposes of the
33 24 medical assistance program until the close of the succeeding
33 25 fiscal year.

CODE: Requires nonreversion of any funds received as part of the increased Medicare Clawback payment from the federal government through FY 2011.

33 26 21. The department may transfer any savings generated

Specifies the DHS may transfer savings associated with government

33 27 due to medical assistance program cost containment efforts
33 28 initiated pursuant to 2010 Iowa Acts, Senate File 2088, if
33 29 enacted, or executive order 20, issued December 16, 2009, to
33 30 the medical contracts appropriation made in this division of
33 31 this Act to defray the increased contract costs associated with
33 32 implementing such efforts.

reorganization to Medical Contracts to offset the costs of implementing the efforts.

33 33 22. The department shall request a waiver from the centers
33 34 for Medicare and Medicaid services of the United States
33 35 department of health and human services to add assisted living
34 1 services to the home and community-based services waiver
34 2 for the elderly under the medical assistance program. Upon
34 3 receipt of federal approval of the waiver, the department shall
34 4 implement assisted living as a service within the home and
34 5 community-based services elderly waiver. The department shall
34 6 adopt rules to implement the approved elderly waiver assisted
34 7 living service.

Requires the DHS to request a waiver from the Center for Medicare and Medicaid Services to add assisted living services to the Home and Community-Based Services (HCBS) Elderly Waiver. The DHS is to adopt rules to implement this provision.

34 8 23. The department of human services shall convene a
34 9 workgroup with the department of inspections and appeals,
34 10 county central point of coordination administrators, affected
34 11 service providers, and other appropriate interests in reviewing
34 12 the various regulatory requirements applicable to providers of
34 13 mental health and disability services paid under this and other
34 14 appropriations. The review shall encompass federal, state,
34 15 and professional requirements applicable to the providers.
34 16 The workgroup shall identify opportunities for streamlining
34 17 regulatory requirements, increasing public access to cost,
34 18 quality, and outcomes information within the system, and
34 19 increasing compliance with applicable federal health, safety,
34 20 and accountability provisions. The workgroup shall hold two
34 21 meetings and submit a report on or before December 15, 2010, to
34 22 the persons designated by this Act for submission of reports.

Requires the DHS to convene a workgroup to review various regulatory requirements for providers of mental health and disability services paid by Medicaid. The workgroup is to look for opportunities to streamline requirements and increase access to information. The workgroup is to submit a report of findings by December 15, 2010.

34 23 24. a. The department of human services shall amend
34 24 the medical assistance waiver for the Iowa family planning

Requires DHS to amend the Family Planning Waiver to expand coverage to 300.00% of the FPL and 54 years of age. The expansion

34 25 network to continue the current waiver with the following
 34 26 modifications, to be effective July 1, 2011, which provide for
 34 27 all of the following:
 34 28 (1) Coverage for women who meet all of the following
 34 29 criteria:
 34 30 (a) Are uninsured or have health insurance coverage that
 34 31 does not include coverage for benefits provided under the Iowa
 34 32 family planning network.
 34 33 (b) Have income of up to 300 percent of the federal poverty
 34 34 level.
 34 35 (c) Are under 55 years of age.
 35 1 (2) Coverage of pregnancy prevention services for men who
 35 2 meet the income, age, and insurance coverage specifications
 35 3 described in subparagraph (1).

is also to provide vasectomies to men that meet the same age and income criteria. The expansion is to go into effect at the beginning of FY 2012.

35 4 b. Implementation of this subsection is contingent upon
 35 5 approval of the medical assistance waiver for the Iowa family
 35 6 planning network by the centers for Medicare and Medicaid
 35 7 services of the United States department of health and human
 35 8 services and upon availability of funding as determined by the
 35 9 director of the department of human services.

Specifies that implementation of the Family Planning expansion is contingent upon approval by the federal Centers for Medicare and Medicaid Services and requires funding be available as determined by the Director of the DHS.

NOTE: House File 2531 strikes the language that funding be available to implement the expansion.

35 10 c. Of the funds appropriated in this section, \$25,000 shall
 35 11 be used for administrative costs for renewal and modification
 35 12 of the Iowa family planning network waivers as provided in this
 35 13 subsection.

General Fund allocation of \$25,000 for administrative cost related to the renewal and modification of the Family Planning Waiver.

35 14 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
 35 15 is appropriated from the general fund of the state to the
 35 16 department of human services for the fiscal year beginning July
 35 17 1, 2010, and ending June 30, 2011, the following amount, or
 35 18 so much thereof as is necessary, to be used for the purpose
 35 19 designated:
 35 20 For administration of the health insurance premium payment
 35 21 program, including salaries, support, maintenance, and

General Fund appropriation to the DHS for the Health Insurance Premium Payment (HIPPP) Program.

DETAIL: This is no change in funding and no change in FTE positions compared to estimated net FY 2010.

35 22 miscellaneous purposes, and for not more than the following
 35 23 full-time equivalent positions:
 35 24 \$ 457,210
 35 25 FTEs 19.00

35 26 Sec. 13. MEDICAL CONTRACTS. There is appropriated from the
 35 27 general fund of the state to the department of human services
 35 28 for the fiscal year beginning July 1, 2010, and ending June 30,
 35 29 2011, the following amount, or so much thereof as is necessary,
 35 30 to be used for the purpose designated:
 35 31 For medical contracts, including salaries, support,
 35 32 maintenance, and miscellaneous purposes, and for not more than
 35 33 the following full-time equivalent positions:
 35 34 \$ 9,683,668
 35 35 FTEs 6.00

36 1 The department of inspections and appeals shall provide all
 36 2 state matching funds for survey and certification activities
 36 3 performed by the department of inspections and appeals.
 36 4 The department of human services is solely responsible for
 36 5 distributing the federal matching funds for such activities.

36 6 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.
 36 7 1. There is appropriated from the general fund of the
 36 8 state to the department of human services for the fiscal year
 36 9 beginning July 1, 2010, and ending June 30, 2011, the following
 36 10 amount, or so much thereof as is necessary, to be used for the
 36 11 purpose designated:
 36 12 For the state supplementary assistance program:

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is a net decrease of \$2,602,685 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- An increase of \$915,415 due to contract inflation and information technology cost increases.
- A decrease \$150,000 to eliminate one-time Iowa Medicaid Enterprise procurement costs.
- An increase of \$34,348 to upgrade to HIPAA version 5010.
- A decrease of \$190,555 due to a savings from moving to paperless methods.
- A decrease of \$1,338,630 due to additional funds available from the Pharmaceutical Settlement Account.
- A decrease of \$1,873,263 due to a transfer of State matching funds to Department of Inspections and Appeals (DIA) for inspections.

Requires the DIA to provide all State matching funds for survey and certification activities.

General Fund appropriation to the DHS for State Supplementary Assistance.

DETAIL: This is an increase of \$1,801,402 compared to estimated net FY 2010 due to a transfer in funds from Medicaid.

36 13 \$ 18,259,235

36 14 2. The department shall increase the personal needs
36 15 allowance for residents of residential care facilities by the
36 16 same percentage and at the same time as federal supplemental
36 17 security income and federal social security benefits are
36 18 increased due to a recognized increase in the cost of living.
36 19 The department may adopt emergency rules to implement this
36 20 subsection.

Requires the DHS to increase the personal needs allowance of residential care facilities residents at the same rate and time as federal SSI and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation.

36 21 3. If during the fiscal year beginning July 1, 2010,
36 22 the department projects that state supplementary assistance
36 23 expenditures for a calendar year will not meet the federal
36 24 pass-through requirement specified in Tit. XVI of the federal
36 25 Social Security Act, section 1618, as codified in 42 U.S.C.
36 26 1382g, the department may take actions including but not
36 27 limited to increasing the personal needs allowance for
36 28 residential care facility residents and making programmatic
36 29 adjustments or upward adjustments of the residential care
36 30 facility or in-home health-related care reimbursement rates
36 31 prescribed in this division of this Act to ensure that federal
36 32 requirements are met. In addition, the department may make
36 33 other programmatic and rate adjustments necessary to remain
36 34 within the amount appropriated in this section while ensuring
36 35 compliance with federal requirements. The department may adopt
37 1 emergency rules to implement the provisions of this subsection.

Permits the DHS to adjust rates for State Supplementary Assistance to meet federal Maintenance of Effort requirements. Permits the DHS to adopt emergency rules for implementation.

37 2 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.
37 3 1. There is appropriated from the general fund of the
37 4 state to the department of human services for the fiscal year
37 5 beginning July 1, 2010, and ending June 30, 2011, the following
37 6 amount, or so much thereof as is necessary, to be used for the
37 7 purpose designated:
37 8 For maintenance of the healthy and well kids in Iowa (hawk=i)
37 9 program pursuant to chapter 514I, including supplemental dental
37 10 services, for receipt of federal financial participation under

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the hawk-i Program.

DETAIL: This is a net increase of \$10,470,193 compared to estimated net FY 2010. The changes include:

- An increase of \$4,600,000 to replace one-time hawk-i Trust Fund carryforward from FY 2009 to FY 2010.
- An increase of \$4,910,265 due to enrollment growth in both

<p>37 11 Tit. XXI of the federal Social Security Act, which creates the 37 12 children's health insurance program: 37 13 \$ 23,637,040</p>	<p>health and dental coverage.</p> <ul style="list-style-type: none"> • An increase of \$959,928 to match workgroup forecasting estimates.
<p>37 14 2. Of the funds appropriated in this section, \$128,950 is 37 15 allocated for continuation of the contract for advertising and 37 16 outreach with the department of public health and \$90,050 is 37 17 allocated for other advertising and outreach.</p>	<p>Allocates \$128,950 to continue an outreach contract with the DPH and allocates up to \$90,050 for additional advertising and outreach.</p>
<p>37 18 3. If the funds appropriated in this section are 37 19 insufficient to cover the costs of both full coverage services 37 20 and supplemental dental services, priority in expenditure of 37 21 funds shall be given to covering the costs of full coverage 37 22 services.</p>	<p>Requires the health insurance portion of the hawk-i Program to be fully funded before money is spent on the supplemental dental coverage.</p>
<p>37 23 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated 37 24 from the general fund of the state to the department of human 37 25 services for the fiscal year beginning July 1, 2010, and ending 37 26 June 30, 2011, the following amount, or so much thereof as is 37 27 necessary, to be used for the purpose designated: 37 28 For child care programs: 37 29 \$ 32,325,964</p>	<p>General Fund appropriation to the DHS for the Child Care Assistance Programs.</p> <p>DETAIL: This is a net decrease of \$221,500 compared to estimated net FY 2010. The General Fund changes include:</p> <ul style="list-style-type: none"> • A decrease of \$1,768,941 due to caseload growth that is lower than projected for FY 2011. • An increase of \$12,959,715 to replace one-time FY 2009 carryforward that was used in FY 2010. • A decrease of \$8,881,827 due to the availability of one-time carryforward from FY 2010 that can be used for FY 2011. • An increase of \$13,448,490 due to the elimination of direct TANF funding to child care assistance. • A decrease of \$15,755,256 due to the availability of federal ARRA funding. • An increase of \$589,819 due to the increase in child care caseloads in the PROMISE JOBS Program. • A decrease of \$592,000 for child care wraparound grants to maintain the FY 2010 service level and redirects funding to child care assistance.

- An increase of \$221,500 to partially restore the ATB reduction from FY 2010.
- A decrease of \$350,000 to eliminate funding for the Polk County grant to child care center services for children with various special needs.
- A decrease of \$93,000 to eliminate funding for the Polk County grant for children residing in the Oakridge Neighborhood in the city of Des Moines.

37 30 1. Of the funds appropriated in this section, \$30,956,537
 37 31 shall be used for state child care assistance in accordance
 37 32 with section 237A.13. It is the intent of the general assembly
 37 33 to appropriate sufficient funding for the state child care
 37 34 assistance program for the fiscal year beginning July 1, 2010,
 37 35 in order to avoid establishment of waiting list requirements
 38 1 by the department in the preceding fiscal year in anticipation
 38 2 that enhanced funding under the federal American Recovery and
 38 3 Reinvestment Act of 2009 will not be replaced for the fiscal
 38 4 year beginning July 1, 2010.

Allocates \$30,956,537 to provide child care assistance for low-income employed lowans. Specifies it is the intent of the General Assembly to appropriate sufficient funding to the Program in FY 2011 to avoid the DHS beginning a waiting list for services.

DETAIL: This is a decrease of \$3,461,217 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

38 5 2. Nothing in this section shall be construed or is
 38 6 intended as or shall imply a grant of entitlement for services
 38 7 to persons who are eligible for assistance due to an income
 38 8 level consistent with the waiting list requirements of section
 38 9 237A.13. Any state obligation to provide services pursuant to
 38 10 this section is limited to the extent of the funds appropriated
 38 11 in this section.

Specifies that assistance from the Child Care Assistance Program is not an entitlement and the State's obligation to provide services is limited to the funds available.

38 12 3. Of the funds appropriated in this section, \$432,453 is
 38 13 allocated for the statewide program for child care resource
 38 14 and referral services under section 237A.26. A list of the
 38 15 registered and licensed child care facilities operating in the
 38 16 area served by a child care resource and referral service shall
 38 17 be made available to the families receiving state child care
 38 18 assistance in that area.

Allocates \$432,453 for the Statewide Child Care Resource and Referral Program. Requires a list of the registered and licensed child care facilities to be made available by Child Care Resource and Referral Programs to families receiving assistance under the Child Care Assistance Program.

DETAIL: This is a decrease of \$48,000 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

38 19 4. Of the funds appropriated in this section, \$936,974
38 20 is allocated for child care quality improvement initiatives
38 21 including but not limited to the voluntary quality rating
38 22 system in accordance with section 237A.30.

Allocates \$936,974 for the Quality Rating System (QRS).

DETAIL: This is a decrease of \$599,207 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

38 23 5. The department may use any of the funds appropriated
38 24 in this section as a match to obtain federal funds for use in
38 25 expanding child care assistance and related programs. For
38 26 the purpose of expenditures of state and federal child care
38 27 funding, funds shall be considered obligated at the time
38 28 expenditures are projected or are allocated to the department's
38 29 service areas. Projections shall be based on current and
38 30 projected caseload growth, current and projected provider
38 31 rates, staffing requirements for eligibility determination
38 32 and management of program requirements including data systems
38 33 management, staffing requirements for administration of the
38 34 program, contractual and grant obligations and any transfers
38 35 to other state agencies, and obligations for decategorization
39 1 or innovation projects.

Permits funds appropriated for child care to be used as matching funds for federal grants. Specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2010.

39 2 6. A portion of the state match for the federal child care
39 3 and development block grant shall be provided as necessary to
39 4 meet federal matching funds requirements through the state
39 5 general fund appropriation made for child development grants
39 6 and other programs for at-risk children in section 279.51.

Requires a portion of the State match for the federal Child Care and Development Block Grant to be provided from the State appropriation for child development grants and other programs for at-risk children.

39 7 7. If a uniform reduction ordered by the governor under
39 8 section 8.31 or other operation of law, transfer, or federal
39 9 funding reduction reduces the appropriation made in this
39 10 section for the fiscal year, the percentage reduction in the
39 11 amount paid out to or on behalf of the families participating

Requires the DHS to apply any reductions to the child care assistance appropriation, either State or federal, that result in a reduction to subsidy payments to families, in amounts equal to or less than the percentage of the reduction. Also requires any unanticipated increase in federal funding to be used only for the Child Care Assistance Subsidy Program. Specifies that it is the intent of the General

39 12 in the state child care assistance program shall be equal to or
 39 13 less than the percentage reduction made for any other purpose
 39 14 payable from the appropriation made in this section and the
 39 15 federal funding relating to it. If there is an unanticipated
 39 16 increase in federal funding provided for state child care
 39 17 assistance, the entire amount of the increase shall be used for
 39 18 state child care assistance payments. If the appropriations
 39 19 made for purposes of the state child care assistance program
 39 20 for the fiscal year are determined to be insufficient, it is
 39 21 the intent of the general assembly to appropriate sufficient
 39 22 funding for the fiscal year in order to avoid establishment of
 39 23 waiting list requirements.

Assembly to provide sufficient funding for the Program for FY 2011 to avoid the establishment of a waiting list.

39 24 8. Notwithstanding section 8.33, moneys appropriated in
 39 25 this section or received from the federal appropriations made
 39 26 for the purposes of this section that remain unencumbered or
 39 27 unobligated at the close of the fiscal year shall not revert
 39 28 to any fund but shall remain available for expenditure for the
 39 29 purposes designated until the close of the succeeding fiscal
 39 30 year.

CODE: Requires nonreversion of FY 2010 Child Care Assistance Program funds.

39 31 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
 39 32 from the general fund of the state to the department of human
 39 33 services for the fiscal year beginning July 1, 2010, and ending
 39 34 June 30, 2011, the following amounts, or so much thereof as is
 39 35 necessary, to be used for the purposes designated:

40 1 1. For operation of the Iowa juvenile home at Toledo and for
 40 2 salaries, support, maintenance, and miscellaneous purposes, and
 40 3 for not more than the following full-time equivalent positions:
 40 4 \$ 7,777,599
 40 5 FTEs 125.00

General Fund appropriation to the DHS for the Iowa Juvenile Home at Toledo.

DETAIL: This is a net increase of \$1,698,316 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$110,000 due to a transfer from the State Training School at Eldora.

- A decrease of \$51,684 due to savings identified by the Public Works Efficiency Report for consolidating administrative functions for State institutions.
- An increase of \$840,000 to offset the loss of ARRA funding.
- An increase of \$800,000 for increased costs and to partially maintain staffing levels.

NOTE: There is an additional appropriation of \$200,000 from the UST Fund to the Iowa Juvenile Home in Section 45 of this Bill.

40 6 2. For operation of the state training school at Eldora and
 40 7 for salaries, support, maintenance, and miscellaneous purposes,
 40 8 and for not more than the following full-time equivalent
 40 9 positions:
 40 10 \$ 11,001,062
 40 11 FTEs 202.70

General Fund appropriation to the DHS for the State Training School at Eldora.

DETAIL: This is an increase of \$1,355,054 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$110,000 due to a transfer to the Iowa Juvenile Home at Toledo.
- A decrease of \$84,946 due to savings identified by the Public Works Efficiency Report for consolidating administrative functions for State institutions.
- An increase of \$1,400,000 to offset the loss of ARRA funding.
- An increase of \$150,000 for increased costs and to partially maintain staffing levels.

NOTE: There is an additional appropriation of \$400,000 from the UST Fund to the State Training School in Section 45 of this Bill.

40 12 3. A portion of the moneys appropriated in this section
 40 13 shall be used by the state training school and by the Iowa
 40 14 juvenile home for grants for adolescent pregnancy prevention
 40 15 activities at the institutions in the fiscal year beginning
 40 16 July 1, 2010.

Requires a portion of the funds appropriated for the two juvenile institutions to be used for pregnancy prevention in FY 2011.

DETAIL: This provision was also in effect for FY 2010.

40 17 Sec. 18. EDUCATIONAL EXPENSES AT INSTITUTIONS. There

General Fund appropriation to the DHS for licensed classroom

40 18 is appropriated from the general fund of the state to the
 40 19 department of human services for the fiscal year beginning July
 40 20 1, 2010, and ending June 30, 2011, the following amount, or
 40 21 so much thereof as is necessary, to be used for the purposes
 40 22 designated:
 40 23 For distribution to licensed classroom teachers at
 40 24 institutions under the control of the department of human
 40 25 services based upon the average student yearly enrollment at
 40 26 each institution as determined by the department of human
 40 27 services:
 40 28 \$ 103,950

teachers in State institutions.
 DETAIL: Maintains the current level of funding.

40 29 Sec. 19. CHILD AND FAMILY SERVICES.
 40 30 1. There is appropriated from the general fund of the
 40 31 state to the department of human services for the fiscal year
 40 32 beginning July 1, 2010, and ending June 30, 2011, the following
 40 33 amount, or so much thereof as is necessary, to be used for the
 40 34 purpose designated:
 40 35 For child and family services:
 41 1 \$ 79,593,023

General Fund appropriation to the DHS for Child and Family Services.

DETAIL: This is a net decrease of \$1,939,283 compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$1,283,699 to restore federal ARRA funding.
- A decrease of \$46,512 to reflect updated estimates to federal Title IV-E funding based on current eligibility rates and the projected FY 2011 FMAP rate.
- A decrease of \$1,387,581 due to available ARRA funding from the enhanced FMAP for foster care that is scheduled to expire in December of 2010.
- An increase of \$1,700,606 for restoration of the ATB reductions in FY 2010.
- A decrease of \$2,656,995 due to annualized savings realized by continuing certain ATB reductions from FY 2010 in FY 2011.
- A decrease of \$240,000 due to savings identified by the Public Works Efficiency Report to increase federal Title IV-E claims for reimbursement for Juvenile Court Services.
- A decrease of \$30,000 due to savings identified by the Public Works Efficiency Report to increase federal Title IV-E funds relating to case management services for children moving to a licensed foster family home or group care from an unlicensed facility.
- A decrease of \$500,000 to reduce State funding for unused guaranteed shelter care beds.

- A decrease of \$62,500 to eliminate funding for a multi-dimensional foster care treatment level pilot program in Polk County.

41 2 2. In order to address a reduction of \$5,200,000 from the
 41 3 amount allocated under the appropriation made for the purposes
 41 4 of this section in prior years for purposes of juvenile
 41 5 delinquent graduated sanction services, up to \$5,200,000 of the
 41 6 amount of federal temporary assistance for needy families block
 41 7 grant funding appropriated in this division of this Act for
 41 8 child and family services shall be made available for purposes
 41 9 of juvenile delinquent graduated sanction services.

Allocates \$5,200,000 of TANF funds for delinquency programs.

DETAIL: Maintains the current allocation level.

41 10 3. The department may transfer funds appropriated in this
 41 11 section as necessary to pay the nonfederal costs of services
 41 12 reimbursed under the medical assistance program, state child
 41 13 care assistance program, or the family investment program which
 41 14 are provided to children who would otherwise receive services
 41 15 paid under the appropriation in this section. The department
 41 16 may transfer funds appropriated in this section to the
 41 17 appropriations made in this division of this Act for general
 41 18 administration and for field operations for resources necessary
 41 19 to implement and operate the services funded in this section.

Permits the DHS to transfer funds appropriated for Child and Family Services to Medicaid, the FIP, General Administration, or Field Operations to pay for costs associated with child welfare services in these areas.

41 20 4. a. Of the funds appropriated in this section, up to
 41 21 \$29,233,006 is allocated as the statewide expenditure target
 41 22 under section 232.143 for group foster care maintenance and
 41 23 services. If the department projects that such expenditures
 41 24 for the fiscal year will be less than the target amount
 41 25 allocated in this lettered paragraph, the department may
 41 26 reallocate the excess to provide additional funding for shelter
 41 27 care or the child welfare emergency services addressed with the
 41 28 allocation for shelter care.

Allocates up to \$29,233,006 for group care services and maintenance costs.

DETAIL: This is a decrease of \$3,579,813 compared to the FY 2010 allocation set in HF 820 (FY 2010 Federal Funds Appropriations Act).

41 29 b. If at any time after September 30, 2010, annualization
41 30 of a service area's current expenditures indicates a service
41 31 area is at risk of exceeding its group foster care expenditure
41 32 target under section 232.143 by more than 5 percent, the
41 33 department and juvenile court services shall examine all
41 34 group foster care placements in that service area in order to
41 35 identify those which might be appropriate for termination.
42 1 In addition, any aftercare services believed to be needed
42 2 for the children whose placements may be terminated shall be
42 3 identified. The department and juvenile court services shall
42 4 initiate action to set dispositional review hearings for the
42 5 placements identified. In such a dispositional review hearing,
42 6 the juvenile court shall determine whether needed aftercare
42 7 services are available and whether termination of the placement
42 8 is in the best interest of the child and the community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

42 9 5. In accordance with the provisions of section 232.188,
42 10 the department shall continue the child welfare and juvenile
42 11 justice funding initiative during fiscal year 2010=2011. Of
42 12 the funds appropriated in this section, \$1,717,753 is allocated
42 13 specifically for expenditure for fiscal year 2010=2011 through
42 14 the decategorization service funding pools and governance
42 15 boards established pursuant to section 232.188.

Allocates \$1,717,753 for decategorization services.

DETAIL: Maintains the current level of General Fund support.

42 16 6. A portion of the funds appropriated in this section
42 17 may be used for emergency family assistance to provide other
42 18 resources required for a family participating in a family
42 19 preservation or reunification project or successor project to
42 20 stay together or to be reunified.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

42 21 7. a. Notwithstanding section 234.35 or any other provision
42 22 of law to the contrary, state funding for shelter care shall be
42 23 limited to \$7,894,147. The department may continue or amend
42 24 shelter care provider contracts to include the child welfare
42 25 emergency services for children that were implemented pursuant

CODE: Limits State funding for shelter care to \$7,894,147. Permits the DHS to continue or amend provider contracts to include child welfare emergency services.

DETAIL: This is an increase of \$207,687 compared to the FY 2010 allocation.

42 26 to 2008 Iowa Acts, chapter 1187, section 16, subsection 7. An
42 27 appropriate amount of the funds allocated in this subsection
42 28 may be used for wraparound and emergency services to prevent
42 29 the need for shelter care services, including such services for
42 30 children who have an immediate need for shelter care services
42 31 but are ineligible due to income, status, or other requirement.
42 32 The funding shall be expended by providers in a manner that
42 33 does not impinge upon the availability of beds for eligible
42 34 children.

NOTE: There is an additional appropriation of \$500,000 from the Cash Reserve Fund to shelter care in HF 2531 (FY 2011 Standing Appropriations Bill).

42 35 b. The child welfare advisory committee created by the
43 1 council on human services pursuant to section 217.3A, if
43 2 enacted by 2010 Iowa Acts, Senate File 2088, section 391, or
43 3 other appropriate existing body, shall develop recommendations
43 4 to identify the appropriate capacity for child welfare
43 5 emergency services for implementation during the fiscal year
43 6 beginning July 1, 2011. The data being collected regarding
43 7 child welfare emergency services shall be utilized in
43 8 developing the recommendations. The recommendations shall be
43 9 submitted on or before December 15, 2010, to the department and
43 10 the persons designated by this Act to receive reports.

Requires the Child Welfare Advisory Committee to develop recommendations relating to implementation of child welfare emergency services. Requires the recommendations to be submitted to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staff, and the LSA by December 15, 2010.

43 11 8. Except for federal funds provided by the federal American
43 12 Recovery and Reinvestment Act of 2009, federal funds received
43 13 by the state during the fiscal year beginning July 1, 2010,
43 14 as the result of the expenditure of state funds appropriated
43 15 during a previous state fiscal year for a service or activity
43 16 funded under this section are appropriated to the department
43 17 to be used as additional funding for services and purposes
43 18 provided for under this section. Notwithstanding section 8.33,
43 19 moneys received in accordance with this subsection that remain
43 20 unencumbered or unobligated at the close of the fiscal year
43 21 shall not revert to any fund but shall remain available for the
43 22 purposes designated until the close of the succeeding fiscal
43 23 year.

CODE: Requires federal funds received in FY 2011 for the expenditure of State funds in a previous fiscal year to be used for child welfare services. Requires nonreversion of funds through FY 2012.

43 24 9. Of the funds appropriated in this section, at least

Requires \$3,696,285 to be used for protective child care assistance.

43 25 \$3,696,285 shall be used for protective child care assistance.

DETAIL: This is an increase of \$231,429 compared to the FY 2010 allocation.

43 26 10. a. Of the funds appropriated in this section, up to
 43 27 \$2,062,488 is allocated for the payment of the expenses of
 43 28 court=ordered services provided to juveniles who are under the
 43 29 supervision of juvenile court services, which expenses are a
 43 30 charge upon the state pursuant to section 232.141, subsection
 43 31 4. Of the amount allocated in this lettered paragraph, up to
 43 32 \$1,556,287 shall be made available to provide school=based
 43 33 supervision of children adjudicated under chapter 232, of which
 43 34 not more than \$15,000 may be used for the purpose of training.
 43 35 A portion of the cost of each school=based liaison officer
 44 1 shall be paid by the school district or other funding source as
 44 2 approved by the chief juvenile court officer.
 44 3 b. Of the funds appropriated in this section, up to \$748,985
 44 4 is allocated for the payment of the expenses of court=ordered
 44 5 services provided to children who are under the supervision
 44 6 of the department, which expenses are a charge upon the state
 44 7 pursuant to section 232.141, subsection 4.

Provides the following allocations related to court-ordered services for juveniles:

- Allocates up to \$2,062,488 for court-ordered services provided to children that are under the supervision of juvenile court services. This is a decrease of \$194,789 compared to the FY 2010 allocation.
- Allocates \$1,556,287 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires a portion of the cost for school-based liaisons to be paid by school districts. Maintains the current level of General Fund support.
- Allocates \$748,985 for court-ordered services provided to children that are under the supervision of the DHS. This is a decrease of \$70,737 compared to the FY 2010 allocation.

44 8 c. Notwithstanding section 232.141 or any other provision
 44 9 of law to the contrary, the amounts allocated in this
 44 10 subsection shall be distributed to the judicial districts
 44 11 as determined by the state court administrator and to the
 44 12 department's service areas as determined by the administrator
 44 13 of the department's division of child and family services. The
 44 14 state court administrator and the division administrator shall
 44 15 make the determination of the distribution amounts on or before
 44 16 June 15, 2010.

CODE: Requires allocations to the DHS districts to be made according to a formula determined by the State Court Administrator by June 15, 2010.

44 17 d. Notwithstanding chapter 232 or any other provision of
 44 18 law to the contrary, a district or juvenile court shall not
 44 19 order any service which is a charge upon the state pursuant

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a

44 20 to section 232.141 if there are insufficient court=ordered
 44 21 services funds available in the district court or departmental
 44 22 service area distribution amounts to pay for the service. The
 44 23 chief juvenile court officer and the departmental service area
 44 24 manager shall encourage use of the funds allocated in this
 44 25 subsection such that there are sufficient funds to pay for
 44 26 all court=related services during the entire year. The chief
 44 27 juvenile court officers and departmental service area managers
 44 28 shall attempt to anticipate potential surpluses and shortfalls
 44 29 in the distribution amounts and shall cooperatively request the
 44 30 state court administrator or division administrator to transfer
 44 31 funds between the judicial districts' or departmental service
 44 32 areas' distribution amounts as prudent.

manner that will cover the entire fiscal year and permits funds to be transferred between districts.

44 33 e. Notwithstanding any provision of law to the contrary,
 44 34 a district or juvenile court shall not order a county to pay
 44 35 for any service provided to a juvenile pursuant to an order
 45 1 entered under chapter 232 which is a charge upon the state
 45 2 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

45 3 f. Of the funds allocated in this subsection, not more than
 45 4 \$83,000 may be used by the judicial branch for administration
 45 5 of the requirements under this subsection.

Prohibits expenditure of more than \$83,000 by the Judicial Branch for administration related to court-ordered services.

DETAIL: This is a decrease of \$17,000 compared to the FY 2010 maximum allowance.

45 6 g. Of the funds allocated in this subsection, \$17,000
 45 7 shall be used by the department of human services to support
 45 8 the interstate commission for juveniles in accordance with
 45 9 the interstate compact for juveniles as provided in section
 45 10 232.173, as enacted by this Act.

Allocates \$17,000 for the DHS to support the Interstate Commission for Juveniles in accordance with the Interstate Compact for Juveniles as provided for in Division VIII of this Act.

DETAIL: This is a new allocation for FY 2011.

45 11 11. Of the funds appropriated in this section, \$4,522,602 is

Allocates \$4,522,602 for juvenile delinquent graduated sanctions

45 12 allocated for juvenile delinquent graduated sanctions services.
 45 13 Any state funds saved as a result of efforts by juvenile court
 45 14 services to earn federal Tit. IV=E match for juvenile court
 45 15 services administration may be used for the juvenile delinquent
 45 16 graduated sanctions services.

services. Permits any State funds saved as a result of increasing federal Title IV-E claims for Juvenile Court Services, as indicated by the Public Works Efficiency Report, to be used for graduated sanctions services.

DETAIL: This is a new allocation for FY 2011.

NOTE: There is an additional appropriation of \$600,000 from the UST Fund to juvenile delinquent graduated sanctions services in Section 45 of this Bill.

45 17 12. Of the funds appropriated in this section, \$988,285
 45 18 shall be transferred to the department of public health to
 45 19 be used for the child protection center grant program in
 45 20 accordance with section 135.118.

Requires an allocation of \$988,285 to be transferred to the DPH for a Child Protection Center Grant Program.

DETAIL: This is a decrease of \$16,881 compared to the FY 2010 allocation.

45 21 13. If the department receives federal approval to
 45 22 implement a waiver under Tit. IV=E of the federal Social
 45 23 Security Act to enable providers to serve children who remain
 45 24 in the children's families and communities, for purposes of
 45 25 eligibility under the medical assistance program, children who
 45 26 participate in the waiver shall be considered to be placed in
 45 27 foster care.

Requires children that receive in-home or community-based services under a federal Title IV-E waiver to be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

45 28 14. Of the funds appropriated in this section, \$2,875,281 is
 45 29 allocated for the preparation for adult living program pursuant
 45 30 to section 234.46.

Allocates \$2,875,281 for the Preparation for Adult Living Services (PALS) Program.

DETAIL: This is an increase of \$180,025 compared to the FY 2010 allocation.

45 31 15. Of the funds appropriated in this section, \$520,150
 45 32 shall be used for juvenile drug courts. The amount allocated

Allocates a total of \$520,150 for Judicial Branch staff costs relating to juvenile drug courts.

<p>45 33 in this subsection shall be distributed as follows:</p> <p>45 34 To the judicial branch for salaries to assist with the</p> <p>45 35 operation of juvenile drug court programs operated in the</p> <p>46 1 following jurisdictions:</p> <p>46 2 a. Marshall county:</p> <p>46 3 \$ 62,708</p> <p>46 4 b. Woodbury county:</p> <p>46 5 \$ 125,682</p> <p>46 6 c. Polk county:</p> <p>46 7 \$ 195,892</p> <p>46 8 d. The third judicial district:</p> <p>46 9 \$ 67,934</p> <p>46 10 e. The eighth judicial district:</p> <p>46 11 \$ 67,934</p>	<p>DETAIL: This is an increase of \$34,825 for staffing costs compared to the FY 2010 allocation.</p>
<p>46 12 16. Of the funds appropriated in this section, \$227,306</p> <p>46 13 shall be used for the public purpose of providing a grant to</p> <p>46 14 a nonprofit human services organization providing services to</p> <p>46 15 individuals and families in multiple locations in southwest</p> <p>46 16 Iowa and Nebraska for support of a project providing immediate,</p> <p>46 17 sensitive support and forensic interviews, medical exams, needs</p> <p>46 18 assessments, and referrals for victims of child abuse and their</p> <p>46 19 nonoffending family members.</p>	<p>Allocates \$227,306 for Project Harmony for support of victims of child abuse and the nonoffending family members.</p> <p>DETAIL: This is an increase of \$3,018 compared to the FY 2010 allocation.</p>
<p>46 20 17. Of the funds appropriated in this section, \$125,590</p> <p>46 21 is allocated for the elevate approach of providing a support</p> <p>46 22 network to children placed in foster care.</p>	<p>Requires an allocation of \$125,590 to provide support for chapters for the ELEVATE support group for foster care children.</p> <p>DETAIL: This is an increase of \$1,667 compared to the FY 2010 allocation.</p>
<p>46 23 18. Of the funds appropriated in this section, \$202,000 is</p> <p>46 24 allocated for use pursuant to section 235A.1 for continuation</p> <p>46 25 of the initiative to address child sexual abuse implemented</p> <p>46 26 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection</p> <p>46 27 21.</p>	<p>Allocates \$202,000 for an initiative to address child sexual abuse.</p> <p>DETAIL: This is a decrease of \$25,987 compared to the FY 2010 allocation for a general reduction.</p>

46 28 19. Of the funds appropriated in this section, \$630,240 is
 46 29 allocated for the community partnership for child protection
 46 30 sites.

Allocates \$630,240 for the child welfare Community Partnership for Child Protection sites.

DETAIL: This is an increase of \$39,460 compared to the FY 2010 allocation.

46 31 20. Of the funds appropriated in this section, \$371,250
 46 32 is allocated for the department's minority youth and family
 46 33 projects under the redesign of the child welfare system.

Allocates \$371,250 for minority youth and family projects included in child welfare redesign.

DETAIL: This is an increase of \$16,214 compared to the FY 2010 allocation.

46 34 21. Of the funds appropriated in this section, \$925,306
 46 35 is allocated for funding of the state match for the federal
 47 1 substance abuse and mental health services administration
 47 2 (SAMHSA) system of care grant.

Allocates \$925,306 for the State match for the federal Substance Abuse and Mental Health Services Administration system of care grant.

DETAIL: This is an increase of \$644,089 compared to the FY 2010 allocation.

47 3 22. Of the funds appropriated in this section, at least
 47 4 \$47,158 shall be used for the child welfare training academy.

Allocates \$47,158 for the child welfare provider online training academy.

DETAIL: This is a new allocation for FY 2011.

47 5 Sec. 20. ADOPTION SUBSIDY.

47 6 1. There is appropriated from the general fund of the
 47 7 state to the department of human services for the fiscal year
 47 8 beginning July 1, 2010, and ending June 30, 2011, the following
 47 9 amount, or so much thereof as is necessary, to be used for the
 47 10 purpose designated:

47 11 For adoption subsidy payments and services:

47 12 \$ 31,856,896

General Fund appropriation to the DHS for the Adoption Subsidy Program.

DETAIL: This is a net increase of \$461,589 compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$1,566,628 to restore federal ARRA funding.
- A decrease of \$122,070 to reflect updated estimates to federal Title IV-E funding based on current eligibility rates and the projected FY 2011 FMAP rate.
- A decrease of \$313,627 due to caseload growth that is less than

	<p>projected for FY 2011.</p> <ul style="list-style-type: none"> • A decrease of \$1,130,931 to continue the ATB provider rate reduction from FY 2010 to FY 2011. • An increase of \$2,807,389 due to a transfer of funding from Child and Family Services. • A decrease of \$145,800 due to savings from capping legal fee reimbursements at \$500 for expenses related to finalizing adoptions. • A decrease of \$1,800,000 due to available carryforward from FY 2010 that can be used in FY 2011. • A decrease of \$400,000 due to available ARRA enhanced FMAP funding.
<p>47 13 2. The department may transfer funds appropriated in this 47 14 section to the appropriation made in this Act for general 47 15 administration for costs paid from the appropriation relating 47 16 to adoption subsidy.</p>	<p>Permits the DHS to transfer funds for adoption recruitment and services.</p>
<p>47 17 3. Except for federal funds provided by the federal American 47 18 Recovery and Reinvestment Act of 2009, federal funds received 47 19 by the state during the fiscal year beginning July 1, 2010, as 47 20 the result of the expenditure of state funds during a previous 47 21 state fiscal year for a service or activity funded under this 47 22 section are appropriated to the department to be used as 47 23 additional funding for the services and activities funded under 47 24 this section. Notwithstanding section 8.33, moneys received 47 25 in accordance with this subsection that remain unencumbered or 47 26 unobligated at the close of the fiscal year shall not revert 47 27 to any fund but shall remain available for expenditure for the 47 28 purposes designated until the close of the succeeding fiscal 47 29 year.</p>	<p>CODE: Requires federal funds received in FY 2011 for the expenditure of State funds in a previous fiscal year to be used for Adoption Subsidy. Requires nonreversion of funds in this Subsection until the close of FY 2012.</p>
<p>47 30 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited 47 31 in the juvenile detention home fund created in section 232.142</p>	<p>CODE: Requires funds deposited in the Juvenile Detention Fund to be distributed to the Juvenile Detention Centers.</p>

47 32 during the fiscal year beginning July 1, 2010, and ending June
 47 33 30, 2011, are appropriated to the department of human services
 47 34 for the fiscal year beginning July 1, 2010, and ending June 30,
 47 35 2011, for distribution of an amount equal to a percentage of
 48 1 the costs of the establishment, improvement, operation, and
 48 2 maintenance of county or multicounty juvenile detention homes
 48 3 in the fiscal year beginning July 1, 2009. Moneys appropriated
 48 4 for distribution in accordance with this section shall be
 48 5 allocated among eligible detention homes, prorated on the basis
 48 6 of an eligible detention home's proportion of the costs of all
 48 7 eligible detention homes in the fiscal year beginning July
 48 8 1, 2009. The percentage figure shall be determined by the
 48 9 department based on the amount available for distribution for
 48 10 the fund. Notwithstanding section 232.142, subsection 3, the
 48 11 financial aid payable by the state under that provision for the
 48 12 fiscal year beginning July 1, 2010, shall be limited to the
 48 13 amount appropriated for the purposes of this section.

DETAIL: The fines deposited in the Fund will be approximately \$3,700,000 in FY 2010. Fines in the Fund will be allocated to the detention centers based the on FY 2011 projected budgets to be used for operations.

48 14 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

General Fund appropriation for the Family Support Program.

48 15 1. There is appropriated from the general fund of the
 48 16 state to the department of human services for the fiscal year
 48 17 beginning July 1, 2010, and ending June 30, 2011, the following
 48 18 amount, or so much thereof as is necessary, to be used for the
 48 19 purpose designated:

DETAIL: This is a decrease of \$355,000 compared to estimated net FY 2010 due to estimated savings realized from SF 2088 (Government Reorganization and Efficiency Act) that prohibits the DHS from accepting any new enrollments into the Program beginning in FY 2011.

48 20 For the family support subsidy program:

48 21 \$ 1,167,998

48 22 2. The department shall use at least \$289,444 of the moneys
 48 23 appropriated in this section for the family support center
 48 24 component of the comprehensive family support program under
 48 25 section 225C.47. Not more than \$25,000 of the amount allocated
 48 26 in this subsection shall be used for administrative costs.

Requires an allocation of \$289,444 from the Family Support Subsidy appropriation to continue the Children-at-Home Program in current counties. Also, permits the DHS to expand the Program to additional counties if funds are available, and limits administrative funding to \$25,000.

DETAIL: This is a decrease of \$96,031 compared to the FY 2010 allocation.

NOTE: There is an additional appropriation of \$100,000 from the UST

Fund to the Children at Home Program in Section 45 of this Bill.

48 27 3. If at any time during the fiscal year, the amount of
48 28 funding available for the family support subsidy program
48 29 is reduced from the amount initially used to establish the
48 30 figure for the number of family members for whom a subsidy
48 31 is to be provided at any one time during the fiscal year,
48 32 notwithstanding section 225C.38, subsection 2, the department
48 33 shall revise the figure as necessary to conform to the amount
48 34 of funding available.

Requires the Department to revise funding available to participants in the Family Support Subsidy Program if available funds are less than anticipated.

48 35 Sec. 23. CONNER DECREE. There is appropriated from the
49 1 general fund of the state to the department of human services
49 2 for the fiscal year beginning July 1, 2010, and ending June 30,
49 3 2011, the following amount, or so much thereof as is necessary,
49 4 to be used for the purpose designated:
49 5 For building community capacity through the coordination
49 6 and provision of training opportunities in accordance with the
49 7 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.
49 8 Iowa, July 14, 1994):
49 9 \$ 33,622

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: This is no change compared to estimated net FY 2010. The funds are used for training purposes to comply with the Conner v. Branstad court decision mandating placement of persons in the least restrictive setting.

49 10 Sec. 24. MENTAL HEALTH INSTITUTES.
49 11 1. There is appropriated from the general fund of the
49 12 state to the department of human services for the fiscal year
49 13 beginning July 1, 2010, and ending June 30, 2011, the following
49 14 amounts, or so much thereof as is necessary, to be used for the
49 15 purposes designated:

49 16 a. For the state mental health institute at Cherokee for
49 17 salaries, support, maintenance, and miscellaneous purposes, and
49 18 for not more than the following full-time equivalent positions:
49 19 \$ 5,221,979
49 20 FTEs 205.06

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: This is a net increase of \$329,511 and 0.06 FTE position compared to estimated net FY 2010. The changes include:

PG LN	House File 2526	Explanation
49 21 b. For the state mental health institute at Clarinda for 49 22 salaries, support, maintenance, and miscellaneous purposes, and 49 23 for not more than the following full-time equivalent positions: 49 24 \$ 6,139,698 49 25 FTEs 114.95	<ul style="list-style-type: none"> • A decrease of \$95,489 due to a savings from consolidating administrative functions of all DHS institutions. • An increase of \$425,000 to offset ARRA funding losses. 	<p>General Fund appropriation to the Mental Health Institute at Clarinda.</p> <p>DETAIL: This is a net increase of \$535,097 and no change in FTE positions compared to estimated net FY 2010. The changes include:</p>
49 26 c. For the state mental health institute at Independence for 49 27 salaries, support, maintenance, and miscellaneous purposes, and 49 28 for not more than the following full-time equivalent positions: 49 29 \$ 9,590,653 49 30 FTEs 287.85	<ul style="list-style-type: none"> • A decrease of \$49,903 due to a savings from consolidating administrative functions of all DHS institutions. • An increase of \$585,000 to offset ARRA funding losses. 	<p>General Fund appropriation to the Mental Health Institute at Independence.</p> <p>DETAIL: This is a net increase of \$1,037,443 and no change in FTE positions compared to estimated net FY 2010. The changes include:</p>
49 31 d. For the state mental health institute at Mount Pleasant 49 32 for salaries, support, maintenance, and miscellaneous purposes, 49 33 and for not more than the following full-time equivalent 49 34 positions: 49 35 \$ 1,613,175 50 1 FTEs 116.44	<ul style="list-style-type: none"> • A decrease of \$127,557 due to a savings from consolidating administrative functions of all DHS institutions. • An increase of \$1,165,000 to offset ARRA funding losses. 	<p>General Fund appropriation to the Mental Health Institute at Mount Pleasant.</p> <p>DETAIL: This is a net decrease of \$1,488 and no change in FTE positions compared to estimated net FY 2010. The changes include:</p>
50 2 2. The department, as part of efforts to develop and 50 3 implement the comprehensive mental health and disability	<ul style="list-style-type: none"> • A decrease of \$51,488 due to a savings from consolidating administrative functions of all DHS institutions. • An increase of \$50,000 to offset ARRA funding losses. 	<p>Requires the Department to review services provided by the State MHIs and modify services to provide cost-effective and necessary services. As part of the review, requires the DHS to look at subacute</p>

50 4 services plan as provided in section 225C.6B, shall review
 50 5 services provided by or offered at the state mental health
 50 6 institutes and may modify such services to further the plan
 50 7 and provide cost-effective and necessary services. As part
 50 8 of the review, the department shall consult with stakeholders
 50 9 concerning developing subacute mental health care options at
 50 10 the institutes. In addition, the department shall consider the
 50 11 feasibility of developing treatment facilities of sixteen beds
 50 12 or fewer that would be eligible for federal Medicaid program
 50 13 match; identify provisions to increase the participation of
 50 14 students of medical, dental, psychiatry, psychology, social
 50 15 work, and other health care and behavioral health professions
 50 16 in clinical practice training at the institutions administered
 50 17 by the department; and develop methods for the department
 50 18 and the judicial branch to facilitate regular meetings and
 50 19 other communication between representatives of the criminal
 50 20 justice system, service providers, county central point of
 50 21 coordination administrators, other pertinent state agencies,
 50 22 and other stakeholders to improve the processes for involuntary
 50 23 commitment for chronic substance abuse under chapter 125 and
 50 24 serious mental illness under chapter 229.

mental health care options and 16-bed units that meet Medicaid requirements. The DHS is also to increase student participation in the Institutions.

50 25 Sec. 25. STATE RESOURCE CENTERS.

50 26 1. There is appropriated from the general fund of the
 50 27 state to the department of human services for the fiscal year
 50 28 beginning July 1, 2010, and ending June 30, 2011, the following
 50 29 amounts, or so much thereof as is necessary, to be used for the
 50 30 purposes designated:

50 31 a. For the state resource center at Glenwood for salaries,
 50 32 support, maintenance, and miscellaneous purposes:
 50 33 \$ 14,982,839

General Fund appropriation to the State Resource Center at Glenwood.

DETAIL: This is a decrease of \$825,599 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$506,224 due to a savings from consolidating administrative functions of all DHS institutions.

- A decrease of \$114,849 due to an annual FMAP adjustment.
- A decrease of \$204,526 due to available ARRA dollars.

The FTE positions are not capped in the Bill.

50 34 b. For the state resource center at Woodward for salaries,
 50 35 support, maintenance, and miscellaneous purposes:
 51 1 \$ 9,312,271

General Fund appropriation to the State Resource Center at Woodward.

DETAIL: This is a decrease of \$474,009 and an increase of 60.31 FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$391,185 due to a savings from consolidating administrative functions of all DHS institutions.
- A decrease of \$82,824 due to an annual FMAP adjustment.

The FTE positions are not capped in the Bill.

51 2 2. The department may continue to bill for state resource
 51 3 center services utilizing a scope of services approach used for
 51 4 private providers of ICFMR services, in a manner which does not
 51 5 shift costs between the medical assistance program, counties,
 51 6 or other sources of funding for the state resource centers.

Permits the DHS to continue billing practices that do not include cost shifting.

51 7 3. The state resource centers may expand the time-limited
 51 8 assessment and respite services during the fiscal year.

Permits the State Resource Centers to expand time-limited assessment and respite services.

DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.

51 9 4. If the department's administration and the department

Specifies that FTE positions may be added at the two State Resource

51 10 of management concur with a finding by a state resource	Centers if projected revenues are sufficient to pay the salary and
51 11 center's superintendent that projected revenues can reasonably	support costs of the additional positions.
51 12 be expected to pay the salary and support costs for a new	
51 13 employee position, or that such costs for adding a particular	
51 14 number of new positions for the fiscal year would be less	
51 15 than the overtime costs if new positions would not be added,	
51 16 the superintendent may add the new position or positions. If	
51 17 the vacant positions available to a resource center do not	
51 18 include the position classification desired to be filled, the	
51 19 state resource center's superintendent may reclassify any	
51 20 vacant position as necessary to fill the desired position. The	
51 21 superintendents of the state resource centers may, by mutual	
51 22 agreement, pool vacant positions and position classifications	
51 23 during the course of the fiscal year in order to assist one	
51 24 another in filling necessary positions.	
51 25 5. If existing capacity limitations are reached in	Permits a State Resource Center to open certain facilities if a service
51 26 operating units, a waiting list is in effect for a service or	waiting list exists and funding is available.
51 27 a special need for which a payment source or other funding	
51 28 is available for the service or to address the special need,	
51 29 and facilities for the service or to address the special need	
51 30 can be provided within the available payment source or other	
51 31 funding, the superintendent of a state resource center may	
51 32 authorize opening not more than two units or other facilities	
51 33 and begin implementing the service or addressing the special	
51 34 need during fiscal year 2010=2011.	
51 35 Sec. 26. MI/MR/DD STATE CASES.	General Fund appropriation to the DHS for State Cases.
52 1 1. There is appropriated from the general fund of the	
52 2 state to the department of human services for the fiscal year	
52 3 beginning July 1, 2010, and ending June 30, 2011, the following	DETAIL: This is an increase of \$1,000,000 compared to estimated
52 4 amount, or so much thereof as is necessary, to be used for the	net FY 2010.
52 5 purpose designated:	
52 6 For distribution to counties for state case services	
52 7 for persons with mental illness, mental retardation, and	
52 8 developmental disabilities in accordance with section 331.440:	

52 9 \$ 11,295,207

52 10 2. For the fiscal year beginning July 1, 2010, and ending
 52 11 June 30, 2011, \$200,000 is allocated for state case services
 52 12 from the amounts appropriated from the fund created in section
 52 13 8.41 to the department of human services from the funds
 52 14 received from the federal government under 42 U.S.C. ch. 6A,
 52 15 subch. XVII, relating to the community mental health center
 52 16 block grant, for the federal fiscal years beginning October
 52 17 1, 2008, and ending September 30, 2009, beginning October 1,
 52 18 2009, and ending September 30, 2010, and beginning October 1,
 52 19 2010, and ending September 30, 2011. The allocation made in
 52 20 this subsection shall be made prior to any other distribution
 52 21 allocation of the appropriated federal funds.

Requires \$200,000 of the Community Mental Health Services Block Grant funds from FFY 2009, FFY 2010, or FFY 2011 to be used for the State Cases costs.

52 22 3. Notwithstanding section 8.33, moneys appropriated in
 52 23 this section that remain unencumbered or unobligated at the
 52 24 close of the fiscal year shall not revert but shall remain
 52 25 available for expenditure for the purposes designated until the
 52 26 close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for State Cases.

52 27 Sec. 27. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==
 52 28 COMMUNITY SERVICES FUND. There is appropriated from
 52 29 the general fund of the state to the mental health and
 52 30 developmental disabilities community services fund created in
 52 31 section 225C.7 for the fiscal year beginning July 1, 2010, and
 52 32 ending June 30, 2011, the following amount, or so much thereof
 52 33 as is necessary, to be used for the purpose designated:
 52 34 For mental health and developmental disabilities community
 52 35 services in accordance with this division of this Act:
 53 1 \$ 14,211,100

General Fund appropriation for the Mental Health Community Services Fund.

DETAIL: This is no change compared to estimated net FY 2010.

53 2 1. Of the funds appropriated in this section, \$14,187,556
 53 3 shall be allocated to counties for funding of community-based
 53 4 mental health and developmental disabilities services. The

Allocates \$14,187,556 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

53 5 moneys shall be allocated to a county as follows:

53 6 a. Fifty percent based upon the county's proportion of the
53 7 state's population of persons with an annual income which is
53 8 equal to or less than the poverty guideline established by the
53 9 federal office of management and budget.

53 10 b. Fifty percent based upon the county's proportion of the
53 11 state's general population.

53 12 2. a. A county shall utilize the funding the county
53 13 receives pursuant to subsection 1 for services provided to
53 14 persons with a disability, as defined in section 225C.2.
53 15 However, no more than 50 percent of the funding shall be used
53 16 for services provided to any one of the service populations.

53 17 b. A county shall use at least 50 percent of the funding the
53 18 county receives under subsection 1 for contemporary services
53 19 provided to persons with a disability, as described in rules
53 20 adopted by the department.

53 21 3. Of the funds appropriated in this section, \$23,544
53 22 shall be used to support the Iowa compass program providing
53 23 computerized information and referral services for lowans with
53 24 disabilities and their families.

53 25 4. a. Funding appropriated for purposes of the federal
53 26 social services block grant is allocated for distribution
53 27 to counties for local purchase of services for persons with
53 28 mental illness or mental retardation or other developmental
53 29 disability.

53 30 b. The funds allocated in this subsection shall be expended
53 31 by counties in accordance with the county's county management
53 32 plan approved by the board of supervisors. A county without
53 33 an approved county management plan shall not receive allocated

Requires the funds to be used for services to persons with mental illness, mental retardation, developmental disabilities, and brain injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 50.00% of the funding received on contemporary services.

Allocates \$23,544 to support the Iowa Compass Program. The Program provides computerized information and referral services for lowans with developmental disabilities and their families.

DETAIL: This is a decrease of \$2,616 compared to the FY 2010 allocation.

Allocates federal funds appropriated from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities.

Requires counties to expend Social Services Block Grant funds according to approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved.

53 34 funds until the county's management plan is approved.

53 35 c. The funds provided by this subsection shall be allocated
54 1 to each county as follows:

54 2 (1) Fifty percent based upon the county's proportion of the
54 3 state's population of persons with an annual income which is
54 4 equal to or less than the poverty guideline established by the
54 5 federal office of management and budget.

54 6 (2) Fifty percent based upon the amount provided to the
54 7 county for local purchase of services in the preceding fiscal
54 8 year.

Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.

DETAIL: The formula remains unchanged from the FY 1997 formula.

54 9 5. A county is eligible for funds under this section if the
54 10 county qualifies for a state payment as described in section
54 11 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

54 12 6. The most recent population estimates issued by the United
54 13 States bureau of the census shall be applied for the population
54 14 factors utilized in this section.

Requires the Department to utilize the most recent population estimates for the distribution of these funds.

54 15 7. The governor's developmental disabilities council is
54 16 requested to facilitate a workgroup of stakeholders to review
54 17 the status of residential care facilities in the state and
54 18 the services provided. The membership of the workgroup may
54 19 include but is not limited to representatives of county central
54 20 point of coordination administrators, the departments of aging,
54 21 human services, and inspections and appeals, the office of
54 22 the citizens' aide and other legislative agencies, and the
54 23 judicial branch. The issues considered by the workgroup may
54 24 include identifying the characteristics of clients served such
54 25 as age, disability, reason for admission and level of care
54 26 provided; the reasons why such facilities have been closing
54 27 or downsizing and where clients were placed; the types and
54 28 usage of alternatives to the facilities; the types of services
54 29 provided to clients such as Medicaid waiver, rehabilitation,

Requests the Governor's Developmental Disabilities Council to facilitate a stakeholders workgroup to review Residential Care Facilities in the State and the services provided. The workgroup is required to submit a report to the Governor and persons designated in this Act by December 15, 2010.

54 30 mental health, and aging services; workforce employed by the
 54 31 facilities; client access to health care; financing; and
 54 32 practices used for court-ordered placements. The workgroup
 54 33 shall report, providing findings and recommendations, to the
 54 34 governor and persons designated by this Act for submission of
 54 35 reports on or before December 15, 2010.

55 1 Sec. 28. SEXUALLY VIOLENT PREDATORS.

55 2 1. There is appropriated from the general fund of the
 55 3 state to the department of human services for the fiscal year
 55 4 beginning July 1, 2010, and ending June 30, 2011, the following
 55 5 amount, or so much thereof as is necessary, to be used for the
 55 6 purpose designated:

55 7 For costs associated with the commitment and treatment of
 55 8 sexually violent predators in the unit located at the state
 55 9 mental health institute at Cherokee, including costs of legal
 55 10 services and other associated costs, including salaries,
 55 11 support, maintenance, and miscellaneous purposes, and for not
 55 12 more than the following full-time equivalent positions:
 55 13 \$ 6,632,660
 55 14 FTEs 105.50

55 15 2. Unless specifically prohibited by law, if the amount
 55 16 charged provides for recoupment of at least the entire amount
 55 17 of direct and indirect costs, the department of human services
 55 18 may contract with other states to provide care and treatment
 55 19 of persons placed by the other states at the unit for sexually
 55 20 violent predators at Cherokee. The moneys received under
 55 21 such a contract shall be considered to be repayment receipts
 55 22 and used for the purposes of the appropriation made in this
 55 23 section.

55 24 Sec. 29. FIELD OPERATIONS. There is appropriated from the
 55 25 general fund of the state to the department of human services
 55 26 for the fiscal year beginning July 1, 2010, and ending June 30,
 55 27 2011, the following amount, or so much thereof as is necessary,

General Fund appropriation to the DHS for the Sexual Predator
 Commitment Program.

DETAIL: This is a net increase of \$458,476 and no change in FTE
 positions compared to estimated net FY 2010. The changes include:

- A decrease of \$41,524 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$500,000 to offset the loss of ARRA funding.

Permits the Unit for Commitment of Sexually Violent Predators to
 accept out-of-state clients when the entire cost is reimbursed.

General Fund appropriation to the DHS for Field Operations staff and
 support.

DETAIL: This is a net decrease of \$521,924 and no change in FTE

55 28 to be used for the purposes designated:
 55 29 For field operations, including salaries, support,
 55 30 maintenance, and miscellaneous purposes, and for not more than
 55 31 the following full-time equivalent positions:
 55 32 \$ 56,207,624
 55 33 FTEs 2,000.13

positions compared to estimated net FY 2010. The changes include:

- A decrease of \$7,100,000 to shift additional funding to TANF.
- An increase of \$6,578,076 to offset the loss of ARRA funding.

In addition to the General Fund appropriation, Field Operations is receiving an increase of \$9,637,096 from TANF and \$2,340,000 from the UST Fund.

55 34 Priority in filling full-time equivalent positions shall be
 55 35 given to those positions related to child protection services
 56 1 and eligibility determination for low-income families.

Requires priority to be given to child protection services and eligibility determinations when filling FTE positions.

DETAIL: This requirement was in place for FY 2010 for child protection services. The eligibility determination requirement was new for FY 2009.

56 2 Sec. 30. GENERAL ADMINISTRATION. There is appropriated
 56 3 from the general fund of the state to the department of human
 56 4 services for the fiscal year beginning July 1, 2010, and ending
 56 5 June 30, 2011, the following amount, or so much thereof as is
 56 6 necessary, to be used for the purpose designated:
 56 7 For general administration, including salaries, support,
 56 8 maintenance, and miscellaneous purposes, and for not more than
 56 9 the following full-time equivalent positions:
 56 10 \$ 16,602,271
 56 11 FTEs 354.33

General Fund appropriation to the DHS for General Administration.

DETAIL: This is an increase of \$2,875,000 and no change in FTE positions compared to estimated net FY 2010 to offset the loss of ARRA funding and for the two new allocations listed below.

56 12 1. Of the funds appropriated in this section, \$43,700
 56 13 allocated for the prevention of disabilities policy council
 56 14 established in section 225B.3.

Allocates \$43,700 to the Prevention of Disabilities Policy Council.

DETAIL: This is a decrease of \$4,856 compared to the FY 2010 allocation.

56 15 2. The department shall report at least monthly to the
 56 16 legislative services agency concerning the department's
 56 17 operational and program expenditures.

Requires the DHS to submit monthly expenditure reports to the LSA.

56 18 3. Of the funds appropriated in this section, \$150,000 shall
56 19 be used to implement a program to provide technical assistance,
56 20 support, and consultation to providers of habilitation services
56 21 and home and community-based waiver services for adults with
56 22 disabilities under the medical assistance program.

Allocates \$150,000 for technical assistance for providers of habilitation services under the HCBS Waiver Program.

DETAIL: This is a new allocation for FY 2011.

56 23 4. Of the funds appropriated in this section, \$200,000 shall
56 24 be used to expand the provision of nationally accredited and
56 25 recognized internet-based training to include mental health and
56 26 disability services providers.

Allocates \$200,000 for nationally accredited internet-based training for mental health and disability services providers.

DETAIL: This is a new allocation for FY 2011.

56 27 Sec. 31. CHILDREN'S MENTAL HEALTH AND CHILD WELFARE
56 28 SERVICES.

56 29 1. It is the intent of the general assembly to improve
56 30 coordination and integration of mental health services and
56 31 outcomes for children, as well as alignment of the services
56 32 and outcomes with the child welfare system. The department
56 33 of human services, in collaboration with providers, shall
56 34 develop a plan for transitioning administration of the remedial
56 35 services program from fee-for-service approach to the Iowa
57 1 plan, behavioral health managed care plan. The transition
57 2 plan shall address specific strategies for improving service
57 3 coordination for children and adults; establish vendor
57 4 performance standards; provide a process for ongoing monitoring
57 5 of quality of care, performance, and quality improvement
57 6 technical assistance for providers; identify methods and
57 7 standards for credentialing remedial providers; and provide
57 8 implementation timeframes.

Requires the DHS to develop a plan to transition the Remedial Services Program from fee-for-service to the Iowa Plan managed health plan.

57 9 2. The department shall establish a transition committee
57 10 that includes representatives from departmental staff for
57 11 Medicaid, child welfare, field, and mental health services,
57 12 the director of the Iowa plan, a representative of an

Requires the DHS to establish a transition committee of stakeholders to complete a plan by December 31, 2010, and to implement a plan by June 31, 2011, to transition remedial care from fee-for-service to a managed care plan.

57 13 organization providing remedial services that is also licensed
 57 14 as a community mental health center for children and as a
 57 15 psychiatric medical institution for children, the executive
 57 16 director of the coalition of family and children's services
 57 17 in Iowa, three remedial services providers designated by the
 57 18 executive director of the coalition, and a remedial services
 57 19 provider who is not a member of the provider organization. The
 57 20 committee shall develop the plan and manage the transition,
 57 21 if the plan is implemented. The plan shall be developed
 57 22 by December 31, 2010. The department may proceed with
 57 23 implementing the plan over the six month period following
 57 24 December 31, 2010, if the department determines that the plan
 57 25 meets the legislative intent identified in subsection 1.

57 26 Sec. 32. VOLUNTEERS. There is appropriated from the general
 57 27 fund of the state to the department of human services for the
 57 28 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 57 29 the following amount, or so much thereof as is necessary, to be
 57 30 used for the purpose designated:
 57 31 For development and coordination of volunteer services:
 57 32 \$ 84,660

General Fund appropriation to the DHS for the development and coordination of the Volunteer Services Program.

DETAIL: This is no change compared to estimated net FY 2010.

57 33 Sec. 33. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
 57 34 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER
 THE
 57 35 DEPARTMENT OF HUMAN SERVICES.

58 1 1. a. (1) For the fiscal year beginning July 1, 2010,
 58 2 the total state funding amount for the nursing facility budget
 58 3 shall not exceed \$153,126,081.
 58 4 (2) The department, in cooperation with nursing facility
 58 5 representatives, shall review projections for state funding
 58 6 expenditures for reimbursement of nursing facilities on a
 58 7 quarterly basis and the department shall determine if an
 58 8 adjustment to the medical assistance reimbursement rate is
 58 9 necessary in order to provide reimbursement within the state

Caps nursing facility reimbursements at \$153,126,081 and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap.

58 10 funding amount. Any temporary enhanced federal financial
 58 11 participation that may become available to the Iowa medical
 58 12 assistance program during the fiscal year shall not be used
 58 13 in projecting the nursing facility budget. Notwithstanding
 58 14 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
 58 15 "c", and subsection 3, paragraph "a", subparagraph (2),
 58 16 if the state funding expenditures for the nursing facility
 58 17 budget for the fiscal year beginning July 1, 2010, are
 58 18 projected to exceed the amount specified in subparagraph (1),
 58 19 the department shall adjust the reimbursement for nursing
 58 20 facilities reimbursed under the case=mix reimbursement system
 58 21 to maintain expenditures of the nursing facility budget
 58 22 within the specified amount. The department shall revise such
 58 23 reimbursement as necessary to adjust the annual accountability
 58 24 measures payment in accordance with 2001 Iowa Acts, chapter
 58 25 192, section 4, subsection 4, as amended by 2008 Iowa Acts,
 58 26 chapter 1187, section 33, and as amended by 2009 Iowa Acts,
 58 27 chapter 182, section 33, to implement a pay=for=performance
 58 28 payment.

58 29 (3) For the fiscal year beginning July 1, 2010, special
 58 30 population nursing facilities shall be reimbursed in accordance
 58 31 with the methodology in effect on November 30, 2009.

Requires methodology for calculating reimbursement for special population nursing facilities to remain the same as the methodology in effect November 30, 2009.

58 32 b. For the fiscal year beginning July 1, 2010, the
 58 33 department shall reimburse pharmacy dispensing fees using a
 58 34 single rate of \$4.34 per prescription or the pharmacy's usual
 58 35 and customary fee, whichever is lower.

Requires a reimbursement rate of \$4.34 per prescription for pharmacist services using a single dispensing fee or the usual and customary fee, whichever is lower.

DETAIL: This is a decrease of \$0.23 compared to the FY 2010 reimbursement rate.

59 1 c. (1) For the fiscal year beginning July 1, 2010,
 59 2 reimbursement rates for outpatient hospital services shall
 59 3 remain at the rates in effect on June 30, 2010.

Requires the rate of reimbursement for outpatient services to remain the same as the FY 2010 reimbursement rate.

59 4 (2) For the fiscal year beginning July 1, 2010,

Requires the rate of reimbursement for inpatient services to remain

<p>59 5 reimbursement rates for inpatient hospital services shall 59 6 remain at the rates in effect on June 30, 2010.</p>	<p>the same as the FY 2010 reimbursement rate.</p>
<p>59 7 (3) For the fiscal year beginning July 1, 2010, the graduate 59 8 medical education and disproportionate share hospital fund 59 9 shall remain at the amount in effect on June 30, 2010.</p>	<p>Requires the rate of reimbursement for graduate medical education and disproportionate share hospital fund to remain the same as the FY 2010 reimbursement rate.</p>
<p>59 10 (4) In order to ensure the efficient use of limited state 59 11 funds in procuring health care services for low-income lowans, 59 12 funds appropriated in this Act for hospital services shall 59 13 not be used for activities which would be excluded from a 59 14 determination of reasonable costs under the federal Medicare 59 15 program pursuant to 42 U.S.C. 1395X(v)(1)(N).</p>	<p>Requires funds appropriated for hospital activities to be used for activities pursuant to the federal Medicare program.</p>
<p>59 16 d. For the fiscal year beginning July 1, 2010, reimbursement 59 17 rates for rural health clinics, hospices, and acute mental 59 18 hospitals shall be increased in accordance with increases under 59 19 the federal Medicare program or as supported by their Medicare 59 20 audited costs.</p>	<p>Requires rural health clinics, hospice services, and acute mental hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2011.</p>
<p>59 21 e. For the fiscal year beginning July 1, 2010, independent 59 22 laboratories and rehabilitation agencies shall be reimbursed 59 23 using the same methodology in effect on June 30, 2010.</p>	<p>Requires reimbursement methodology for independent laboratories and rehabilitation agencies to remain the same as the methodology in effect June 30, 2010.</p>
<p>59 24 f. For the fiscal year beginning July 1, 2010, reimbursement 59 25 rates for home health agencies shall remain at the rates in 59 26 effect on June 30, 2010, not to exceed a home health agency's 59 27 actual allowable cost.</p>	<p>Requires rates to home health agencies to remain at the rate in effect June 30, 2010.</p>
<p>59 28 g. For the fiscal year beginning July 1, 2010, federally 59 29 qualified health centers shall receive cost-based reimbursement 59 30 for 100 percent of the reasonable costs for the provision of</p>	<p>Requires the DHS to reimburse federally qualified health centers for 100.00% of the reasonable costs for provision of services to Medical Assistance Program recipients.</p>

59 31 services to recipients of medical assistance.

59 32 h. For the fiscal year beginning July 1, 2010, the
59 33 reimbursement rates for dental services shall remain at the
59 34 rates in effect on June 30, 2010.

Requires the FY 2010 reimbursement rates for dental services to remain at the rate in effect June 30, 2010.

59 35 i. For the fiscal year beginning July 1, 2010, state-owned
60 1 psychiatric medical institutions for children shall receive
60 2 cost-based reimbursement for 100 percent of the actual and
60 3 allowable costs for the provision of services to recipients of
60 4 medical assistance. For nonstate-owned psychiatric medical
60 5 institutions for children, reimbursement shall be determined in
60 6 accordance with section 249A.31 subject to the rate limitations
60 7 specified in executive order number 19 issued October 8, 2009.

Reimburses State-owned PMIC's at 100.00% of allowable cost and reimburses nonState-owned PMIC's in accordance with Code Section 249A.31, subject to rate limitations specified by the ATB reduction.

DETAIL: The reduction by the Governor's Executive Order still applies.

60 8 j. For the fiscal year beginning July 1, 2010, unless
60 9 otherwise specified in this Act, all noninstitutional medical
60 10 assistance provider reimbursement rates shall remain at the
60 11 rates in effect on June 30, 2010, except for area education
60 12 agencies, local education agencies, infant and toddler services
60 13 providers, targeted case management, and those providers
60 14 whose rates are required to be determined pursuant to section
60 15 249A.20.

Requires the FY 2011 reimbursement rates for all noninstitutional Medical Assistance providers, with specified exceptions, to remain at FY 2010 rates.

60 16 k. Notwithstanding any provision to the contrary, for the
60 17 fiscal year beginning July 1, 2010, the reimbursement rate for
60 18 anesthesiologists shall remain at the rate in effect on June
60 19 30, 2010.

CODE: Requires the FY 2011 reimbursement rates for anesthesiologists to remain at the rate in effect June 30, 2010.

60 20 l. Notwithstanding section 249A.20, for the fiscal year
60 21 beginning July 1, 2010, the average reimbursement rate for
60 22 health care providers eligible for use of the federal Medicare
60 23 resource-based relative value scale reimbursement methodology
60 24 under that section shall remain at the rate in effect on June

CODE: Requires the FY 2011 rates for health care providers eligible for the average rate reimbursement to remain at the rate in effect June 30, 2010.

60 25 30, 2010; however, this rate shall not exceed the maximum level
60 26 authorized by the federal government.

60 27 m. For the fiscal year beginning July 1, 2010, the
60 28 reimbursement rate for residential care facilities shall not
60 29 be less than the minimum payment level as established by the
60 30 federal government to meet the federally mandated maintenance
60 31 of effort requirement. The flat reimbursement rate for
60 32 facilities electing not to file annual cost reports shall not
60 33 be less than the minimum payment level as established by the
60 34 federal government to meet the federally mandated maintenance
60 35 of effort requirement.

Requires the reimbursement rates for residential care facilities to be no less than the minimum payment level required to meet the federal Maintenance of Effort requirement.

61 1 n. For the fiscal year beginning July 1, 2010, inpatient
61 2 mental health services provided at hospitals shall remain at
61 3 the rates in effect on June 30, 2010, subject to Medicaid
61 4 program upper payment limit rules; community mental health
61 5 centers and providers of mental health services to county
61 6 residents pursuant to a waiver approved under section 225C.7,
61 7 subsection 3, shall be reimbursed at 100 percent of the
61 8 reasonable costs for the provision of services to recipients of
61 9 medical assistance; and psychiatrists shall be reimbursed at
61 10 the medical assistance program fee for service rate.

Requires the FY 2011 reimbursement rate for inpatient mental health services to remain at the same rate in effect on June 30, 2010, and community mental health centers to be reimbursed at 100.00% of costs.

61 11 o. For the fiscal year beginning July 1, 2010, the
61 12 reimbursement rate for consumer-directed attendant care shall
61 13 remain at the rates in effect on June 30, 2010.

Requires the FY 2011 reimbursement rates for Consumer-Directed Attendant Care to remain at the rate in effect June 30, 2010.

61 14 p. For the fiscal year beginning July 1, 2010, the
61 15 reimbursement rate for providers of family planning services
61 16 that are eligible to receive a 90 percent federal match shall
61 17 remain at the rates in effect on January 31, 2010.

Requires the FY 2011 reimbursement rates for Family Planning Services to remain at the rate in effect January 31, 2010.

61 18 q. Unless otherwise provided in this section, the

Specifies that unless otherwise provided, the reduction of payments

61 19 department shall continue the reduction in payments to medical
61 20 assistance program providers for the fiscal year beginning
61 21 July 1, 2010, and ending June 30, 2011, in the percentage
61 22 amount applicable to the respective provider as specified under
61 23 Executive Order 19.

due to the FY 2010 ATB reduction will continue to apply in FY 2011.

61 24 2. For the fiscal year beginning July 1, 2010, the
61 25 reimbursement rate for providers reimbursed under the
61 26 in-home-related care program shall not be less than the minimum
61 27 payment level as established by the federal government to meet
61 28 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2011 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

61 29 3. Unless otherwise directed in this section, when the
61 30 department's reimbursement methodology for any provider
61 31 reimbursed in accordance with this section includes an
61 32 inflation factor, this factor shall not exceed the amount
61 33 by which the consumer price index for all urban consumers
61 34 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor cannot exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

61 35 4. For the fiscal year beginning July 1, 2010,
62 1 notwithstanding section 234.38, the foster family basic daily
62 2 maintenance rate and the maximum adoption subsidy rate for
62 3 children ages 0 through 5 years shall be \$15.54, the rate for
62 4 children ages 6 through 11 years shall be \$16.16, the rate for
62 5 children ages 12 through 15 years shall be \$17.69, and the
62 6 rate for children and young adults ages 16 and older shall be
62 7 \$17.93. The maximum supervised apartment living foster care
62 8 rate and the preparation for adult living program maintenance
62 9 rate for children and young adults ages 16 and older shall be
62 10 \$18.87.

CODE: Provides the daily family foster care rates and the maximum adoption subsidy rates for children by age range for FY 2011.

DETAIL: The FY 2011 rates are decreased by approximately 5.00% compared to the FY 2010 rates to continue the ATB reductions from FY 2010 to FY 2011. Permits the reimbursement to be less than the statutory requirement of 65.00% of the United States Department of Agriculture cost to raise a child. The provision is for FY 2011 only.

NOTE: There is an additional appropriation in HF 2531 (FY 2011 Standings Appropriations Bill) from the UST Fund to partially restore the 5.00% provider rate reduction to adoption subsidy, family foster care, group care, and supervised apartment living providers equally up to \$1,000,000 for FY 2011. It is estimated that each provider rate will be restored by a minimum of 1.00%.

62 11 5. For the fiscal year beginning July 1, 2010, the maximum

Requires the maximum reimbursement rates for social service

62 12 reimbursement rates for social services providers reimbursed
 62 13 under a purchase of social services contract shall remain at
 62 14 the rates in effect on June 30, 2010, or the provider's actual
 62 15 and allowable cost plus inflation for each service, whichever
 62 16 is less. However, the rates may be adjusted under any of the
 62 17 following circumstances:
 62 18 a. If a new service was added after June 30, 2010, the
 62 19 initial reimbursement rate for the service shall be based upon
 62 20 actual and allowable costs.
 62 21 b. If a social service provider loses a source of income
 62 22 used to determine the reimbursement rate for the provider,
 62 23 the provider's reimbursement rate may be adjusted to reflect
 62 24 the loss of income, provided that the lost income was used to
 62 25 support actual and allowable costs of a service purchased under
 62 26 a purchase of service contract.

providers, including the Resource Family Recruitment and Retention Contractor, to be the same rate as provided in FY 2010, and provides for circumstances when the rates may be adjusted.

62 27 6. For the fiscal year beginning July 1, 2010, the
 62 28 reimbursement rates for family-centered service providers,
 62 29 family foster care service providers, group foster care service
 62 30 providers, and the resource family recruitment and retention
 62 31 contractor shall remain at the rates in effect on June 30,
 62 32 2010.

Maintains foster care reimbursement rates for specified providers in FY 2011 at the same level as FY 2010.

NOTE: There is an additional appropriation in HF 2531 (FY 2011 Standings Appropriations Bill) from the UST Fund to partially restore the 5.00% provider rate reduction to adoption subsidy, family foster care, group care, and supervised apartment living providers equally up to \$1,000,000 for FY 2011. It is estimated that each provider rate will be restored by a minimum of 1.00%.

62 33 7. The group foster care reimbursement rates paid for
 62 34 placement of children out of state shall be calculated
 62 35 according to the same rate-setting principles as those used for
 63 1 in-state providers, unless the director of human services or
 63 2 the director's designee determines that appropriate care cannot
 63 3 be provided within the state. The payment of the daily rate
 63 4 shall be based on the number of days in the calendar month in
 63 5 which service is provided.

Requires the group foster care reimbursement rates paid for placement of children out-of-state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the Director of the DHS determines that appropriate care cannot be provided in the State. Also, requires payment of the daily rate to be based on the number of days in the calendar month this service is provided.

63 6 8. For the fiscal year beginning July 1, 2010, remedial

Requires the FY 2011 child welfare remedial service providers to be

63 7 service providers shall receive the same level of reimbursement
63 8 under the same methodology in effect on June 30, 2010.

reimbursed under the FY 2010 methodology.

63 9 9. a. For the fiscal year beginning July 1, 2010,
63 10 the combined service and maintenance components of the
63 11 reimbursement rate paid for shelter care services and
63 12 alternative child welfare emergency services purchased under
63 13 a contract shall be based on the financial and statistical
63 14 report submitted to the department. The maximum reimbursement
63 15 rate shall be \$92.36 per day. The department shall reimburse
63 16 a shelter care provider at the provider's actual and
63 17 allowable unit cost, plus inflation, not to exceed the maximum
63 18 reimbursement rate.

Requires the FY 2011 combined service and maintenance components of the reimbursement rate paid to shelter care providers to be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$92.36 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This maintains the rate received in FY 2010.

63 19 b. Notwithstanding section 232.141, subsection 8, for the
63 20 fiscal year beginning July 1, 2010, the amount of the statewide
63 21 average of the actual and allowable rates for reimbursement of
63 22 juvenile shelter care homes that is utilized for the limitation
63 23 on recovery of unpaid costs shall remain at the amount in
63 24 effect for this purpose in the preceding fiscal year.

CODE: Maintains the limit of the statewide average reimbursement rates paid to shelter care providers that was received in FY 2010. This impacts the amount of charges that are reimbursed.

63 25 10. For the fiscal year beginning July 1, 2010, the
63 26 department shall calculate reimbursement rates for intermediate
63 27 care facilities for persons with mental retardation at the
63 28 80th percentile. Beginning July 1, 2010, the rate calculation
63 29 methodology shall utilize the consumer price index inflation
63 30 factor applicable to the fiscal year beginning July 1, 2010.

Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2011.

63 31 11. For the fiscal year beginning July 1, 2010, for child
63 32 care providers reimbursed under the state child care assistance
63 33 program, the department shall set provider reimbursement
63 34 rates based on the rate reimbursement survey completed in
63 35 December 2004. Effective July 1, 2010, the child care provider
64 1 reimbursement rates shall remain at the rates in effect on June
64 2 30, 2010. The department shall set rates in a manner so as

Requires the DHS to set FY 2011 provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 2004. Requires rates to be set in a manner that will provide incentives for nonregistered providers to become registered.

64 3 to provide incentives for a nonregistered provider to become
64 4 registered by applying the increase only to registered and
64 5 licensed providers.

64 6 12. For the fiscal year beginning July 1, 2010,
64 7 reimbursements for providers reimbursed by the department of
64 8 human services may be modified if appropriated funding is
64 9 allocated for that purpose from the senior living trust fund
64 10 created in section 249H.4.

Specifies that FY 2011 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund.

64 11 13. The department may adopt emergency rules to implement
64 12 this section.

Permits the DHS to adopt emergency rules to implement these reimbursements.

64 13 Sec. 34. EMERGENCY RULES.

64 14 1. If specifically authorized by a provision of this
64 15 division of this Act, the department of human services or the
64 16 mental health, mental retardation, developmental disabilities,
64 17 and brain injury commission may adopt administrative rules
64 18 under section 17A.4, subsection 3, and section 17A.5,
64 19 subsection 2, paragraph "b", to implement the provisions and
64 20 the rules shall become effective immediately upon filing or
64 21 on a later effective date specified in the rules, unless the
64 22 effective date is delayed by the administrative rules review
64 23 committee. Any rules adopted in accordance with this section
64 24 shall not take effect before the rules are reviewed by the
64 25 administrative rules review committee. The delay authority
64 26 provided to the administrative rules review committee under
64 27 section 17A.4, subsection 7, and section 17A.8, subsection 9,
64 28 shall be applicable to a delay imposed under this section,
64 29 notwithstanding a provision in those sections making them
64 30 inapplicable to section 17A.5, subsection 2, paragraph "b".
64 31 Any rules adopted in accordance with the provisions of this
64 32 section shall also be published as notice of intended action
64 33 as provided in section 17A.4.

Permits the DHS and the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission to adopt emergency rules when authorized.

64 34 2. If during the fiscal year beginning July 1, 2010, the

Requires the DHS to report to the Chairpersons and Ranking

64 35 department of human services is adopting rules in accordance
65 1 with this section or as otherwise directed or authorized by
65 2 state law, and the rules will result in an expenditure increase
65 3 beyond the amount anticipated in the budget process or if the
65 4 expenditure was not addressed in the budget process for the
65 5 fiscal year, the department shall notify the persons designated
65 6 by this division of this Act for submission of reports,
65 7 the chairpersons and ranking members of the committees on
65 8 appropriations, and the department of management concerning the
65 9 rules and the expenditure increase. The notification shall be
65 10 provided at least 30 calendar days prior to the date notice of
65 11 the rules is submitted to the administrative rules coordinator
65 12 and the administrative code editor.

Members of the Appropriation Committees, the LSA, and the DOM at least 30 days prior to submitting rules that will have a fiscal impact that was not addressed in the budget process.

65 13 Sec. 35. REPORTS. Any reports or information required to be
65 14 compiled and submitted under this Act shall be submitted to the
65 15 chairpersons and ranking members of the joint appropriations
65 16 subcommittee on health and human services, the legislative
65 17 services agency, and the legislative caucus staffs on or
65 18 before the dates specified for submission of the reports or
65 19 information.

Requires any reports required by this Bill to be submitted to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staffs, and the LSA.

65 20 Sec. 36. EFFECTIVE DATE. The following provisions of this
65 21 division of this Act, being deemed of immediate importance,
65 22 take effect upon enactment:

65 23 The provision under the appropriation for child and family
65 24 services, relating to requirements of section 232.143 for
65 25 representatives of the department of human services and
65 26 juvenile court services to establish a plan for continuing
65 27 group foster care expenditures for fiscal year 2010=2011.

The provision requiring representatives of the DHS and juvenile court services to collaborate regarding group foster care expenditures is effective on enactment.

65 28 DIVISION V

65 29 SENIOR LIVING TRUST FUND,

65 30 PHARMACEUTICAL SETTLEMENT ACCOUNT,

65 31 IOWACARE ACCOUNT, HEALTH CARE

65 32 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT, QUALITY
 65 33 ASSURANCE TRUST FUND, AND UNDERGROUND STORAGE TANK FUND

65 34 Sec. 37. DEPARTMENT ON AGING. There is appropriated from
 65 35 the senior living trust fund created in section 249H.4 to the
 66 1 department on aging for the fiscal year beginning July 1, 2010,
 66 2 and ending June 30, 2011, the following amount, or so much
 66 3 thereof as is necessary, to be used for the purpose designated:
 66 4 For the development and implementation of a comprehensive
 66 5 senior living program, including case management and
 66 6 including program administration and costs associated with
 66 7 implementation:
 66 8 \$ 8,486,698

Senior Living Trust Fund appropriation to the Department on Aging.

DETAIL: Maintains the current level of funding.

66 9 1. a. Of the funds appropriated in this section, \$1,010,000
 66 10 shall be transferred to the department of human services in
 66 11 equal amounts on a quarterly basis for reimbursement of case
 66 12 management services provided under the medical assistance
 66 13 elderly waiver.

Requires \$1,010,000 to be transferred to the DHS, in equal amounts on a quarterly basis, for reimbursement under the Medicaid Elderly Waiver.

DETAIL: Maintains the current allocation and transfer levels.

66 14 b. The department of human services shall review
 66 15 projections for state funding expenditures for reimbursement
 66 16 of case management services under the medical assistance
 66 17 elderly waiver on a quarterly basis and shall determine if an
 66 18 adjustment to the medical assistance reimbursement rates are
 66 19 necessary to provide reimbursement within the state funding
 66 20 amounts budgeted under the appropriations made for the fiscal
 66 21 year for the medical assistance program. Any temporary
 66 22 enhanced federal financial participation that may become
 66 23 available for the medical assistance program during the fiscal
 66 24 year shall not be used in projecting the medical assistance
 66 25 elderly waiver case management budget. The department of human
 66 26 services shall revise such reimbursement rates as necessary to
 66 27 maintain expenditures for medical assistance elderly waiver
 66 28 case management services within the state funding amounts
 66 29 budgeted under the appropriations made for the fiscal year for

Requires the DHS to review expenditures for reimbursement of case management services under the Medicaid Elderly Waiver on a quarterly basis and adjust to provide reimbursements within the appropriation.

66 30 the medical assistance program.

66 31 2. Notwithstanding section 249H.7, the department on aging
 66 32 shall distribute funds appropriated in this section in a
 66 33 manner that will supplement and maximize federal funds under
 66 34 the federal Older Americans Act and shall not use the amount
 66 35 distributed for any administrative purposes of either the
 67 1 department on aging or the area agencies on aging.

CODE: Requires the Department on Aging to maximize federal funds under the federal Older Americans Act, and prohibits these funds from being used for administration.

67 2 3. Of the funds appropriated in this section, \$60,000
 67 3 shall be used to provide dementia-specific education to
 67 4 direct care workers and other providers of long-term care
 67 5 to enhance existing or scheduled efforts through the Iowa
 67 6 caregivers association, the Alzheimer's association, and other
 67 7 organizations identified as appropriate by the department.

Allocates \$60,000 for dementia-specific education for direct care workers.

DETAIL: Maintains the current allocation level.

67 8 4. Of the funds appropriated in this section, \$51,000 shall
 67 9 be used to provide funding for the legal hotline for older
 67 10 lowans.

Allocates \$51,000 to the Department on Aging to be used for a legal hotline for older lowans.

DETAIL: This is a new allocation for FY 2011.

67 11 5. Of the funds appropriated in this section, up to \$193,000
 67 12 shall be used to provide state matching funds for the senior
 67 13 community services employment program.

Allocates up to \$193,000 to the Department on Aging to be used for the Senior Community Services Employment Program.

DETAIL: This is a new allocation for FY 2011.

67 14 Sec. 38. IOWA FINANCE AUTHORITY. There is appropriated
 67 15 from the senior living trust fund created in section 249H.4 to
 67 16 the Iowa finance authority for the fiscal year beginning July
 67 17 1, 2010, and ending June 30, 2011, the following amount, or
 67 18 so much thereof as is necessary, to be used for the purposes
 67 19 designated:

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: Maintains the current level of Senior Living Trust Fund support.

67 20 For the rent subsidy program, to provide reimbursement for
 67 21 rent expenses to eligible persons:

67 22 \$ 700,000

67 23 Participation in the rent subsidy program shall be limited
 67 24 to only those persons who meet the requirements for the nursing
 67 25 facility level of care for home and community-based services
 67 26 waiver services as in effect on July 1, 2010, and to those
 67 27 individuals who are eligible for the federal money follows the
 67 28 person grant program under the medical assistance program. Of
 67 29 the funds appropriated in this section, not more than \$35,000
 67 30 may be used for administrative costs.

Requires participation in the Rent Subsidy Program to be limited to individuals at risk of nursing home placement and those eligible under the federal Money Follows the Person Grant Program. Permits the IFA to use up to \$35,000 for administrative costs.

67 31 Sec. 39. DEPARTMENT OF HUMAN SERVICES. Any funds remaining
 67 32 in the senior living trust fund created in section 249H.4
 67 33 following the appropriations from the senior living trust
 67 34 fund made in this division of this Act to the department on
 67 35 aging, the department of inspections and appeals, and the Iowa
 68 1 finance authority, for the fiscal year beginning July 1, 2010,
 68 2 and ending June 30, 2011, are appropriated to the department
 68 3 of human services to supplement the medical assistance
 68 4 program appropriations made in this Act, including program
 68 5 administration and costs associated with implementation. In
 68 6 order to carry out the purposes of this section, the department
 68 7 may transfer funds appropriated in this section to supplement
 68 8 other appropriations made to the department of human services.

Appropriates the balance of the SLTF to the Medicaid Program for FY 2011 after all other appropriations from the Fund are made.

DETAIL: It is estimated that there will be \$39,080,435 available. This is an increase of \$21,393,608 compared to estimated net FY 2010.

68 9 Sec. 40. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 68 10 appropriated from the pharmaceutical settlement account created
 68 11 in section 249A.33 to the department of human services for the
 68 12 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 68 13 the following amount, or so much thereof as is necessary, to be
 68 14 used for the purpose designated:
 68 15 Notwithstanding any provision of law to the contrary, to
 68 16 supplement the appropriations made for medical contracts under
 68 17 the medical assistance program:
 68 18 \$ 4,027,613

CODE: Pharmaceutical Settlement Account appropriation to the DHS for medical contracts in Medicaid.

DETAIL: This is an increase of \$2,703,780 compared to estimated net FY 2010.

68 19 Sec. 41. APPROPRIATIONS FROM IOWACARE ACCOUNT.

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics (UIHC).

68 20 1. There is appropriated from the IowaCare account
 68 21 created in section 249J.24 to the state board of regents for
 68 22 distribution to the university of Iowa hospitals and clinics
 68 23 for the fiscal year beginning July 1, 2010, and ending June 30,
 68 24 2011, the following amount, or so much thereof as is necessary,
 68 25 to be used for the purposes designated:
 68 26 For salaries, support, maintenance, equipment, and
 68 27 miscellaneous purposes, for the provision of medical and
 68 28 surgical treatment of indigent patients, for provision of
 68 29 services to members of the expansion population pursuant to
 68 30 chapter 249J, and for medical education:
 68 31 \$ 27,284,584

DETAIL: Maintains the current level of IowaCare Account support. IowaCare is an indigent care program for uninsured adults with incomes up to 200.00% of the Federal Poverty Level. It was created during the 2005 Legislative Session in response to the elimination of federal Intergovernmental Transfers (IGTs). The appropriation was first funded in FY 2006. A portion of the funds are to be used for graduate medical education.

68 32 a. Funds appropriated in this subsection shall not be used
 68 33 to perform abortions except medically necessary abortions, and
 68 34 shall not be used to operate the early termination of pregnancy
 68 35 clinic except for the performance of medically necessary
 69 1 abortions. For the purpose of this subsection, an abortion is
 69 2 the purposeful interruption of pregnancy with the intention
 69 3 other than to produce a live-born infant or to remove a dead
 69 4 fetus, and a medically necessary abortion is one performed
 69 5 under one of the following conditions:
 69 6 (1) The attending physician certifies that continuing the
 69 7 pregnancy would endanger the life of the pregnant woman.
 69 8 (2) The attending physician certifies that the fetus is
 69 9 physically deformed, mentally deficient, or afflicted with a
 69 10 congenital illness.
 69 11 (3) The pregnancy is the result of a rape which is reported
 69 12 within 45 days of the incident to a law enforcement agency or
 69 13 public or private health agency which may include a family
 69 14 physician.
 69 15 (4) The pregnancy is the result of incest which is reported
 69 16 within 150 days of the incident to a law enforcement agency
 69 17 or public or private health agency which may include a family
 69 18 physician.
 69 19 (5) The abortion is a spontaneous abortion, commonly known
 69 20 as a miscarriage, wherein not all of the products of conception

Specifies the conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: The rules regarding abortion that apply to the Medical Assistance Program also apply to IowaCare.

69 21 are expelled.

69 22 b. Notwithstanding any provision of law to the contrary,
69 23 the amount appropriated in this subsection shall be distributed
69 24 based on claims submitted, adjudicated, and paid by the Iowa
69 25 Medicaid enterprise.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise.

69 26 c. Contingent upon implementation of 2010 Iowa Acts, Senate
69 27 File 2356, the university of Iowa hospitals and clinics shall
69 28 certify public expenditures in an amount equal to provide
69 29 the nonfederal share on total expenditures not to exceed
69 30 \$20,000,000.

Specifies the UIHC is to use Certified Public Expenditures as the nonfederal share to match for a total amount of \$20,000,000.

69 31 2. There is appropriated from the IowaCare account
69 32 created in section 249J.24 to the state board of regents for
69 33 distribution to the university of Iowa hospitals and clinics
69 34 for the fiscal year beginning July 1, 2010, and ending June 30,
69 35 2011, the following amount, or so much thereof as is necessary,
70 1 to be used for the purposes designated:
70 2 For salaries, support, maintenance, equipment, and
70 3 miscellaneous purposes, for the provision of medical and
70 4 surgical treatment of indigent patients, for provision of
70 5 services to members of the expansion population pursuant to
70 6 chapter 249J, and for medical education:
70 7 \$ 49,020,031

IowaCare Account appropriation of an additional \$49,020,031 to the State Board of Regents to be distributed to the UIHC.

DETAIL: This is an increase of \$1,999,900 compared to estimated net FY 2010. The increase is for increased enrollment and utilization of the IowaCare Program.

70 8 Notwithstanding any provision of law to the contrary, the
70 9 amount appropriated in this subsection shall be distributed
70 10 based on claims submitted, adjudicated, and paid by the Iowa
70 11 Medicaid enterprise.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise.

70 12 3. Contingent upon enactment of 2010 Iowa Acts, Senate
70 13 File 2356, there is appropriated from the IowaCare account
70 14 created in section 249J.24, to the state board of regents for

Contingent appropriation to the UIHC from the IowaCare Account for salaries and support of the IowaCare Program for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health

70 15 distribution to university of Iowa physicians for the fiscal
 70 16 year beginning July 1, 2010, and ending June 30, 2011, the
 70 17 following amount, or so much thereof as is necessary to be used
 70 18 for the purposes designated:
 70 19 For salaries, support, maintenance, equipment, and
 70 20 miscellaneous purposes for the provision of medical and
 70 21 surgical treatment of indigent patients, for provision of
 70 22 services to members of the expansion population pursuant to
 70 23 chapter 249J, and for medical education:
 70 24 \$ 12,000,000

Care Reform Bill).

DETAIL: This is a new appropriation for FY 2011.

NOTE: This is amended by HF 2531 and increased by \$2,000,000.

70 25 Notwithstanding any provision of law to the contrary, the
 70 26 amount appropriated in this subsection shall be distributed
 70 27 based on claims submitted, adjudicated, and paid by the Iowa
 70 28 Medicaid enterprise. Once the entire amount appropriated in
 70 29 this subsection has been distributed, claims shall continue to
 70 30 be submitted and adjudicated by the Iowa Medicaid enterprise;
 70 31 however, no payment shall be made based upon such claims.

CODE: Requires all appropriations in this Subsection to be distributed based on claims adjudicated and paid by the Iowa Medicaid Enterprise (IME). Funds distributed in this subsection are limited to the appropriation provided.

70 32 4. There is appropriated from the IowaCare account created
 70 33 in section 249J.24 to the department of human services for the
 70 34 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 70 35 the following amount, or so much thereof as is necessary, to be
 71 1 used for the purposes designated:
 71 2 For distribution to a publicly owned acute care teaching
 71 3 hospital located in a county with a population over 350,000 for
 71 4 the provision of medical and surgical treatment of indigent
 71 5 patients, for provision of services to members of the expansion
 71 6 population pursuant to chapter 249J, and for medical education:
 71 7 \$ 51,000,000

IowaCare Account appropriation to Polk County Broadlawns Medical Center.

DETAIL: This is an increase of \$5,000,000 compared to estimated net FY 2010. Broadlawns transfers \$38,000,000 of Polk County property tax proceeds to the State to draw down the federal match that funds the IowaCare Program.

71 8 a. Notwithstanding any provision of law to the contrary,
 71 9 the amount appropriated in this subsection shall be distributed
 71 10 based on claims submitted, adjudicated, and paid by the Iowa
 71 11 Medicaid enterprise plus a monthly disproportionate share
 71 12 hospital payment. Any amount appropriated in this subsection
 71 13 in excess of \$48,000,000 shall be distributed only if the sum

71 14 of the expansion population claims adjudicated and paid by the
71 15 Iowa Medicaid enterprise plus the estimated disproportionate
71 16 share hospital payments exceeds \$48,000,000. The amount paid
71 17 in excess of \$48,000,000 shall not adjust the original monthly
71 18 payment amount but shall be distributed monthly based on actual
71 19 claims adjudicated and paid by the Iowa Medicaid enterprise
71 20 plus the estimated disproportionate share hospital amount. Any
71 21 amount appropriated in this subsection in excess of \$48,000,000
71 22 shall be allocated only if federal funds are available to match
71 23 the amount allocated.

71 24 b. Notwithstanding the total amount of proceeds distributed
71 25 pursuant to section 249J.24, subsection 6, paragraph "a",
71 26 unnumbered paragraph 1, for the fiscal year beginning July
71 27 1, 2010, and ending June 30, 2011, the county treasurer of a
71 28 county with a population of over 350,000 in which a publicly
71 29 owned acute care teaching hospital is located shall distribute
71 30 the proceeds collected pursuant to section 347.7 in a total
71 31 amount of \$38,000,000, which would otherwise be distributed to
71 32 the county hospital, to the treasurer of state for deposit in
71 33 the IowaCare account.

71 34 c. (1) Notwithstanding the amount collected and
71 35 distributed for deposit in the IowaCare account pursuant to
72 1 section 249J.24, subsection 6, paragraph "a", subparagraph
72 2 (1), the first \$19,000,000 in proceeds collected pursuant to
72 3 section 347.7 between July 1, 2010, and December 31, 2010,
72 4 shall be distributed to the treasurer of state for deposit in
72 5 the IowaCare account and collections during this time period in
72 6 excess of \$19,000,000 shall be distributed to the acute care
72 7 teaching hospital identified in this subsection.

72 8 (2) Notwithstanding the amount collected and distributed
72 9 for deposit in the IowaCare account pursuant to section
72 10 249J.24, subsection 6, paragraph "a", subparagraph (2),
72 11 the first \$19,000,000 in collections pursuant to section
72 12 347.7 between January 1, 2011, and June 30, 2011, shall be
72 13 distributed to the treasurer of state for deposit in the
72 14 IowaCare account and collections during this time period in
72 15 excess of \$19,000,000 shall be distributed to the acute care
72 16 teaching hospital identified in this subsection.

72 17 5. Contingent upon enactment of 2010 Iowa Acts, Senate File
 72 18 2356, there is appropriated from the IowaCare account created
 72 19 in section 249J.24 to the department of human services for the
 72 20 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 72 21 the following amount, or so much thereof as is necessary to be
 72 22 used for the purpose designated:
 72 23 For payment to the regional provider network specified by
 72 24 the department pursuant to 2010 Iowa Acts, Senate File 2356,
 72 25 section 2, amending section 249J.7, if enacted, for provision
 72 26 of covered services to members of the expansion population
 72 27 pursuant to chapter 249J:
 72 28 \$ 6,000,000

Contingent appropriation for a regional provider network from the IowaCare Account for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Bill).

DETAIL: This is a new appropriation for FY 2011.

72 29 Notwithstanding any provision of law to the contrary, the
 72 30 amount appropriated in this subsection shall be distributed
 72 31 based on claims submitted, adjudicated, and paid by the Iowa
 72 32 Medicaid enterprise. Once the entire amount appropriated in
 72 33 this subsection has been distributed, claims shall continue to
 72 34 be submitted and adjudicated by the Iowa Medicaid enterprise;
 72 35 however, no payment shall be made based upon such claims.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the IME. Claims are to be submitted even after all funds have been distributed so the DHS may collect data on the demand and types of services provided.

73 1 6. Contingent upon enactment of 2010 Iowa Acts, Senate File
 73 2 2356, there is appropriated from the IowaCare account created
 73 3 in section 249J.24 to the department of human services for the
 73 4 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 73 5 the following amount, or so much thereof as is necessary to be
 73 6 used for the purposes designated:
 73 7 For payment to nonparticipating providers for covered
 73 8 services provided in accordance with section 249J.24A:
 73 9 \$ 2,000,000

Contingent appropriation for reimbursement of nonparticipating providers from the IowaCare Account for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Bill).

DETAIL: This is a new appropriation for FY 2011.

NOTE: This allocation is eliminated by HF 2531 and is now funded at the same level from the Hospital Health Care Access Trust Fund.

73 10 Sec. 42. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
 73 11 TRANSFORMATION == DEPARTMENT OF HUMAN SERVICES.
 73 12 Notwithstanding any provision to the contrary, there is
 73 13 appropriated from the account for health care transformation

Appropriations from the HCTA.

DETAIL: The HCTA was created as part of the agreement with the federal Centers for Medicare and Medicaid Services (CMS) to

73 14	created in section 249J.23 to the department of human services	discontinue Iowa's IGTs during the 2005 Legislative Session. It is
73 15	for the fiscal year beginning July 1, 2010, and ending June	intended to fund the reforms specified in HF 841 (IowaCare and
73 16	30, 2011, the following amounts, or so much thereof as is	Medicaid Reform Act) enacted during the 2005 Legislative Session.
73 17	necessary, to be used for the purposes designated:	
73 18	1. For the costs of medical examinations for the expansion	Appropriation from the HCTA for medical examinations and personal
73 19	population pursuant to section 249J.6:	improvement plans for IowaCare enrollees.
73 20	..... \$ 556,800	DETAIL: Maintains the current level of HCTA support.
73 21	2. For the provision of an IowaCare nurse helpline for the	Appropriation from the HCTA for a medical information hotline for
73 22	expansion population as provided in section 249J.6:	IowaCare enrollees.
73 23	..... \$ 100,000	DETAIL: Maintains the current level of HCTA support.
73 24	3. For other health promotion partnership activities	Appropriation from the HCTA for other health partnership activities
73 25	pursuant to section 249J.14:	related to IowaCare.
73 26	..... \$ 600,000	DETAIL: Maintains the current level of HCTA support.
73 27	4. For the costs related to audits, performance	Appropriation from the HCTA for costs related to audits, performance
73 28	evaluations, and studies required pursuant to chapter 249J:	evaluations, and studies related to IowaCare.
73 29	..... \$ 125,000	DETAIL: Maintains the current level of HCTA support.
73 30	5. For administrative costs associated with chapter 249J:	Appropriation from the HCTA for IowaCare administrative costs.
73 31	..... \$ 1,132,412	DETAIL: Maintains the current level of HCTA support.
73 32	6. For planning and development, in cooperation with the	Appropriation from the HCTA to the DHS and the DPH to provide a
73 33	department of public health, of a phased-in program to provide	dental home for children program.
73 34	a dental home for children in accordance with section 249J.14:	DETAIL: Maintains the current level of HCTA support.
73 35	..... \$ 1,000,000	
74 1	7. For continuation of the establishment of the tuition	Appropriation from the HCTA for tuition assistance for individuals

<p>74 2 assistance for individuals serving individuals with 74 3 disabilities pilot program, as enacted in 2008 Iowa Acts, 74 4 chapter 1187, section 130: 74 5 \$ 50,000</p>	<p>serving individuals with disabilities pilot program. DETAIL: Maintains the current level of HCTA support.</p>
<p>74 6 8. For medical contracts: 74 7 \$ 1,300,000</p>	<p>Appropriation from the HCTA for Medical Contracts. DETAIL: Maintains the current level of HCTA support.</p>
<p>74 8 9. For payment to the publicly owned acute care teaching 74 9 hospital located in a county with a population of over 350,000 74 10 that is a participating provider pursuant to chapter 249J: 74 11 \$ 290,000</p>	<p>Appropriation from the HCTA for the Polk County Broadlawns Medical Center for the IowaCare Program. Requires distribution of the funds on a monthly basis. DETAIL: Maintains the current level of HCTA support.</p>
<p>74 12 Disbursements under this subsection shall be made monthly. 74 13 The hospital shall submit a report following the close of the 74 14 fiscal year regarding use of the funds appropriated in this 74 15 subsection to the persons specified in this Act to receive 74 16 reports.</p>	<p>Requires the DHS to make 12 monthly payments to Polk County Broadlawns Medical Center for the appropriation. Requires an FY 2011 report from the Medical Center.</p>
<p>74 17 Notwithstanding section 8.39, subsection 1, without the 74 18 prior written consent and approval of the governor and the 74 19 director of the department of management, the director of human 74 20 services may transfer funds among the appropriations made in 74 21 this section as necessary to carry out the purposes of the 74 22 account for health care transformation. The department shall 74 23 report any transfers made pursuant to this section to the 74 24 legislative services agency.</p>	<p>CODE: Permits the DHS to transfer funds to provide activities in this Section without the approval of the Governor or the Director of the DOM, but requires the DHS to report any transfers to the LSA.</p>
<p>74 25 Sec. 43. MEDICAID FRAUD ACCOUNT == DEPARTMENT OF 74 26 INSPECTIONS AND APPEALS. There is appropriated from the 74 27 Medicaid fraud account created in section 249A.7 to the 74 28 department of inspections and appeals for the fiscal year</p>	<p>Medicaid Fraud Account appropriation to the DIA for inspections and certification of assisted living facilities and adult day care services. DETAIL: This is a new appropriation for FY 2011. This appropriation was previously funded by the SLTF at the same funding level.</p>

74 29 beginning July 1, 2010, and ending June 30, 2011, the following
 74 30 amount or so much thereof as is necessary, to be used for the
 74 31 purposes designated:
 74 32 For the inspection and certification of assisted living
 74 33 programs and adult day care services, including program
 74 34 administration and costs associated with implementation:
 74 35 \$ 1,339,527

75 1 Sec. 44. QUALITY ASSURANCE TRUST FUND == DEPARTMENT OF HUMAN
 75 2 SERVICES. Notwithstanding any provision to the contrary and
 75 3 subject to the availability of funds, there is appropriated
 75 4 from the quality assurance trust fund created in section
 75 5 249L.4 to the department of human services for the fiscal year
 75 6 beginning July 1, 2010, and ending June 30, 2011, the following
 75 7 amounts, or so much thereof as is necessary for the purposes
 75 8 designated:
 75 9 To supplement the appropriation made in this Act from the
 75 10 general fund of the state to the department of human services
 75 11 for medical assistance:
 75 12 \$ 13,900,000

Appropriation from the Quality Assurance Trust Fund to supplement Nursing Facilities under the Medicaid Program.

DETAIL: This is a new appropriation for FY 2011.

75 13 1. Of the funds appropriated in this section, \$7,500,000
 75 14 shall be used for nursing facility reimbursement under the
 75 15 medical assistance program in accordance with the nursing
 75 16 facility reimbursement provisions of division IV of this
 75 17 Act, to continue application of the administrative rules
 75 18 changes relating to nursing facility reimbursement and payment
 75 19 procedures made pursuant to 2010 Iowa Acts, Senate File 2366,
 75 20 if enacted, for the fiscal year beginning July 1, 2010, and
 75 21 ending June 30, 2011, and to restore the 5 percent reduction
 75 22 made in nursing facility reimbursement in accordance with
 75 23 executive order number 19 issued October 8, 2009.

Specifies that funds in this Section are to be used in accordance with nursing facility provisions in Division IV of this Bill. The funds are to be used to restore the 5.00% ATB rate reduction and restore changes made to bed hold and occupancy rates. All provisions in Division IV enhanced federal financial participation apply to this Section.

75 24 2. The costs associated with the implementation of this
 75 25 section shall be funded exclusively through moneys appropriated

Specifies that the cost associated with implementing this Section is to be funded exclusively by the Quality Assurance Trust Fund and must

75 26 from the quality assurance trust fund, and shall result in
 75 27 budget neutrality to the general fund of the state for the
 75 28 fiscal year beginning July 1, 2010, and ending June 30, 2011.

be budget neutral to the General Fund.

75 29 Sec. 45. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
 STORAGE

75 30 TANK FUND. There is appropriated from the Iowa comprehensive
 75 31 petroleum underground storage tank fund created in section
 75 32 455G.3 to the following designated departments for the fiscal
 75 33 year beginning July 1, 2010, and ending June 30, 2011, the
 75 34 following amounts, or so much thereof as is necessary, to be
 75 35 used for the purposes designated, notwithstanding section
 76 1 455G.3, subsection 1:

76 2 1. To the department of public health:
 76 3 \$ 635,000

Appropriation from the UST Fund for the DPH.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

76 4 a. Of the funds appropriated in this subsection, \$500,000
 76 5 is allocated for addictive disorders to be used for substance
 76 6 abuse treatment and prevention.

Appropriation from the UST Fund for addictive disorders in DPH for substance abuse treatment and prevention.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

76 7 b. Of the funds appropriated in this subsection, \$35,000 is
 76 8 allocated for chronic conditions to be used as follows:
 76 9 (1) \$20,000 shall be used for grants to individual patients
 76 10 who have phenylketonuria (PKU) to assist with the costs of
 76 11 necessary special foods.
 76 12 (2) \$15,000 shall be used for child health specialty
 76 13 clinics.

Appropriation from the UST Fund for chronic conditions programs in DPH including \$20,000 for PKU assistance and \$15,000 for child health specialty clinics.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriations.

76 14 c. Of the funds appropriated in this subsection, \$100,000 is
 76 15 allocated for public protection to be used for the state poison

Appropriation from the UST Fund for the State Poison Control Center.

76 16 control center.	DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation under public protection in DPH.
76 17 2. To the department of human services for:	Appropriation from the UST Fund for Child and Family Service to be distributed to the amounts listed below.
76 18 a. Child and family services:	DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
76 19 \$ 925,000	.
76 20 (1) Of the funds appropriated in this paragraph, \$600,000 76 21 shall be used for the purposes of juvenile delinquent graduated 76 22 sanction services.	Allocates \$600,000 to juvenile delinquent graduated sanction services. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
76 23 (2) Of the funds appropriated in this paragraph, \$200,000 76 24 shall be allocated to a county with a population of more than 76 25 300,000 to be used for continuation of a grant to support 76 26 child care center services provided to children with mental, 76 27 physical, or emotional challenges in order for the children to 76 28 remain in a home or family setting.	Allocation to be transferred to Polk County for child care center services for children with various special needs DETAIL: This is a new allocation for FY 2011.
76 29 (3) Of the funds appropriated in this paragraph, \$25,000 76 30 shall be used for the public purpose of providing a grant to 76 31 a child welfare services provider headquartered in a county 76 32 with a population between 189,000 and 196,000 in the latest 76 33 preceding certified federal census that provides multiple 76 34 services including but not limited to a psychiatric medical 76 35 institution for children, shelter, residential treatment, after 77 1 school programs, school-based programming, and an Asperger's 77 2 syndrome program, to be used for support services for children 77 3 with autism spectrum disorder and their families.	Allocation to Four Oaks for various autism spectrum disorders services. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
77 4 (4) Of the funds appropriated in this section, \$100,000	Allocation for the Child Protection Center in Waterloo.

<p>77 5 shall be used for a one-time grant to support startup costs for 77 6 a child protection center to be operated in a hospital in a 77 7 county in northeast Iowa with a population between 120,000 and 77 8 135,000. Population numbers used in this subsection are from 77 9 the latest preceding certified federal census.</p>	<p>DETAIL: This is a new allocation for FY 2011.</p>
<p>77 10 b. Family support subsidy: 77 11 \$ 100,000 77 12 The funds appropriated in this paragraph shall be used for 77 13 the family support center component of the comprehensive family 77 14 support program under section 225C.47.</p>	<p>Appropriation from the UST Fund for the Children-at-Home Program. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation</p>
<p>77 15 c. Child support recovery: 77 16 \$ 250,000</p>	<p>Appropriation from the UST Fund for the Child Support Recovery Unit. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.</p>
<p>77 17 d. Juvenile institutions: 77 18 \$ 600,000</p>	<p>Appropriation from the UST Fund to State Juvenile Institutions to be distributed in the amounts listed below. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.</p>
<p>77 19 (1) Of the funds appropriated in this paragraph, \$200,000 77 20 shall be used for operation of the Iowa juvenile home at 77 21 Toledo.</p>	<p>Allocates \$200,000 to the Iowa Juvenile Homes at Toledo. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.</p>
<p>77 22 (2) Of the funds appropriated in this paragraph, \$400,000 77 23 shall be used for operation of the state training school at 77 24 Eldora.</p>	<p>Allocates \$400,000 to the State Training School at Eldora. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.</p>
<p>77 25 e. Mental health institutes:</p>	<p>Appropriation from the UST Fund to the State Mental Health Institutes</p>

PG LN	House File 2526	Explanation
77 26	\$ 350,000	to be distributed in the amounts listed below. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
77 27 (1) Of the funds appropriated in this paragraph, \$100,000 77 28 shall be used for the state mental health institute at 77 29 Cherokee.		Allocation for the Cherokee MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
77 30 (2) Of the funds appropriated in this paragraph, \$100,000 77 31 shall be used for the state mental health institute at 77 32 Clarinda.		Allocation for the Clarinda MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
77 33 (3) Of the funds appropriated in this paragraph, \$100,000 77 34 shall be used for the state mental health institute at 77 35 Independence.		Allocation for the Independence MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
78 1 (4) Of the funds appropriated in this paragraph, \$50,000 78 2 shall be used for the state mental health institute at Mount 78 3 Pleasant.		Allocation for the Mount Pleasant MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
78 4 f. MI/MR/DD state cases: 78 5	\$ 1,000,000	Appropriation from the UST Fund for MI/MR/DD State Cases Program. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
78 6 g. Sexually violent predators: 78 7	\$ 800,000	Appropriation from the UST Fund for the Civil Commitment Unit of Sex Offenders at Cherokee. DETAIL: This is a new appropriation for FY 2011 to supplement the

General Fund appropriation.

78 8 h. Field operations:
78 9 \$ 2,340,000

Appropriation from the UST Fund for Field Operations.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

78 10 Sec. 46. MEDICAL ASSISTANCE PROGRAM == NONREVERSION FOR
78 11 FY 2011=2012. Notwithstanding any section 8.33, if moneys
78 12 appropriated for purposes of the medical assistance program
78 13 for the fiscal year beginning July 1, 2010, and ending June
78 14 30, 2011, from the general fund of the state, the senior
78 15 living trust fund, the health care trust fund, and the quality
78 16 assurance trust fund, are in excess of actual expenditures
78 17 for the medical assistance program and remain unencumbered or
78 18 unobligated at the close of the fiscal year, the excess moneys
78 19 shall not revert but shall remain available for expenditure for
78 20 the purposes of the medical assistance program until the close
78 21 of the succeeding fiscal year.

CODE: Requires nonreversion of funds from the Medicaid Program to the Senior Living Trust Fund. Instead the funds would remain within the appropriation to be used in the succeeding fiscal year.

DETAIL: The federal ARRA has a provision prohibiting the transfer of Medicaid stimulus dollars to a reserve or rainy day fund. This language complies with those regulations.

78 22 DIVISION VI
78 23 MH/MR/DD SERVICES
78 24 ALLOWED GROWTH FUNDING
78 25 FY 2010=2011

78 26 Sec. 47. 2009 Iowa Acts, chapter 179, section 1, is amended
78 27 to read as follows:
78 28 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
78 29 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH APPROPRIATION AND
78 30 ALLOCATIONS == FISCAL YEAR 2010=2011.
78 31 4-. There is appropriated from the general fund of the
78 32 state to the department of human services for the fiscal year
78 33 beginning July 1, 2010, and ending June 30, 2011, the following
78 34 amount, or so much thereof as is necessary, to be used for the

CODE: Amends the FY 2011 original Mental Health Allowed Growth appropriation to reflect continued funding at the FY 2010 estimated net appropriation level.

78 35 purpose designated:
 79 1 For distribution to counties of the county mental health,
 79 2 mental retardation, and developmental disabilities allowed
 79 3 growth factor adjustment for fiscal year 2010=2011 as provided
 79 4 in this section in lieu of the allowed growth factor provisions
 79 5 of section 331.438, subsection 2, and section 331.439,
 79 6 subsection 3, and chapter 426B :
 79 7 \$ 62,157,494
 79 8 48,697,893
 79 9 ~~2. The amount appropriated in this section shall be~~
 79 10 ~~allocated as provided in a later enactment of the general~~
 79 11 ~~assembly.~~

79 12 Sec. 48. 2009 Iowa Acts, chapter 179, section 1, as
 79 13 amended by this division of this Act, is amended by adding the
 79 14 following new subsections:
 79 15 NEW SUBSECTION . 1. Of the amount appropriated in this
 79 16 section, \$12,000,000 shall be distributed as provided in this
 79 17 subsection.
 79 18 a. To be eligible to receive a distribution under this
 79 19 subsection, a county must meet the following requirements:
 79 20 (1) The county is levying for the maximum amount allowed
 79 21 for the county's mental health, mental retardation, and
 79 22 developmental disabilities services fund under section 331.424A
 79 23 for taxes due and payable in the fiscal year beginning July 1,
 79 24 2010, or the county is levying for at least 90 percent of the
 79 25 maximum amount allowed for the county's services fund and that
 79 26 levy rate is more than \$2 per \$1,000 of the assessed value of
 79 27 all taxable property in the county.
 79 28 (2) In the fiscal year beginning July 1, 2008, the
 79 29 county's mental health, mental retardation, and developmental
 79 30 disabilities services fund ending balance under generally
 79 31 accepted accounting principles was equal to or less than 15
 79 32 percent of the county's actual gross expenditures for that
 79 33 fiscal year.
 79 34 b. A county's allocation of the amount appropriated in
 79 35 this subsection shall be determined based upon the county's

CODE: Requires distribution of \$12,000,000 of the Mental Health Allowed Growth funding to eligible counties that comply with the following:

- Levy at least 90.00% of the maximum levy.
- Levy at least \$2.00 per \$1,000 of the taxable assessed property value.
- Maintain a Mental Health Services Fund balance for FY 2009 of 15.00% or less.

80 1 proportion of the general population of the counties eligible
 80 2 to receive an allocation under this subsection. The most
 80 3 recent population estimates issued by the United States bureau
 80 4 of the census shall be applied in determining population for
 80 5 the purposes of this paragraph.
 80 6 c. The allocations made pursuant to this subsection
 80 7 are subject to the distribution provisions and withholding
 80 8 requirements established in this section for the county mental
 80 9 health, mental retardation, and developmental disabilities
 80 10 allowed growth factor adjustment for the fiscal year beginning
 80 11 July 1, 2010.

80 12 NEW SUBSECTION . 2. The following amount of the funding
 80 13 appropriated in this section is the allowed growth factor
 80 14 adjustment for fiscal year 2010=2011, and shall be credited to
 80 15 the allowed growth funding pool created in the property tax
 80 16 relief fund and for distribution in accordance with section
 80 17 426B.5, subsection 1:
 80 18 \$ 36,551,143

CODE: Sets the expenditure target allocation for the Allowed Growth funding pool for FY 2011.

80 19 NEW SUBSECTION . 3. The following formula amounts shall be
 80 20 utilized only to calculate preliminary distribution amounts for
 80 21 the allowed growth factor adjustment for fiscal year 2010=2011
 80 22 under this section by applying the indicated formula provisions
 80 23 to the formula amounts and producing a preliminary distribution
 80 24 total for each county:
 80 25 a. For calculation of a distribution amount for eligible
 80 26 counties from the allowed growth funding pool created in the
 80 27 property tax relief fund in accordance with the requirements in
 80 28 section 426B.5, subsection 1:
 80 29 \$ 49,626,596
 80 30 b. For calculation of a distribution amount for counties
 80 31 from the mental health and developmental disabilities (MH/DD)
 80 32 community services fund in accordance with the formula provided
 80 33 in the appropriation made for the MH/DD community services fund
 80 34 for the fiscal year beginning July 1, 2010:

CODE: Provides the annual distribution of the FY 2011 Mental Health Allowed Growth appropriation. Reflects appropriations from multiple sources with a single distribution. Requires \$49,626,596 to be distributed to counties that levy at least 70.00% for the MH/MR/DD Services Fund and have limited Fund balances. Fund balances for the distribution formula are those from FY 2009. Those counties that have an ending Fund balance of between 10.00% and 25.00% will experience a reduction of \$13,075,453 as a withholding target. Counties may also return a portion of their funds to the State in order to be eligible for Growth dollars and those dollars would be put back into the Growth Formula the following fiscal year. Funding received as part of ARRA in this Section is to be disregarded when calculating the distribution of funding.

80 35 \$ 14,187,556

81 1 NEW SUBSECTION . 4. a. After applying the applicable

81 2 statutory distribution formulas to the amounts indicated in

81 3 subsection 3 for purposes of producing preliminary distribution

81 4 totals, the department of human services shall apply a

81 5 withholding factor to adjust an eligible individual county's

81 6 preliminary distribution total. In order to be eligible for

81 7 a distribution under this section, a county must be levying

81 8 90 percent or more of the maximum amount allowed for the

81 9 county's mental health, mental retardation, and developmental

81 10 disabilities services fund under section 331.424A for taxes due

81 11 and payable in the fiscal year for which the distribution is

81 12 payable.

81 13 b. An ending balance percentage for each county shall

81 14 be determined by expressing the county's ending balance on a

81 15 modified accrual basis under generally accepted accounting

81 16 principles for the fiscal year beginning July 1, 2008, in the

81 17 county's mental health, mental retardation, and developmental

81 18 disabilities services fund created under section 331.424A, as a

81 19 percentage of the county's gross expenditures from that fund

81 20 for that fiscal year. If a county borrowed moneys for purposes

81 21 of providing services from the county's services fund on or

81 22 before July 1, 2008, and the county's services fund ending

81 23 balance for that fiscal year includes the loan proceeds or an

81 24 amount designated in the county budget to service the loan for

81 25 the borrowed moneys, those amounts shall not be considered

81 26 to be part of the county's ending balance for purposes of

81 27 calculating an ending balance percentage under this subsection.

81 28 c. For purposes of calculating withholding factors and for

81 29 ending balance amounts used for other purposes under law, the

81 30 county ending balances shall be adjusted, using forms developed

81 31 for this purpose by the county finance committee, to disregard

81 32 the temporary funding increase provided to the counties for

81 33 the fiscal year through the federal American Recovery and

81 34 Reinvestment Act of 2009, Pub. L. No. 111=5. In addition,

81 35 a county may adjust the ending balance amount by rebating to

82 1 the department all or a portion of the allowed growth and

82 2 MH/DD services fund moneys the county received for the fiscal

82 3 year beginning July 1, 2009, in accordance with 2008 Iowa
82 4 Acts, chapter 1191, as amended by 2009 Iowa Acts, chapter 182,
82 5 section 55, or from any other services fund moneys available
82 6 to the county. The rebate must be remitted to the department
82 7 on or before June 1, 2010, in order to be counted. The amount
82 8 rebated by a county shall be subtracted dollar=for=dollar
82 9 from the county's ending balance amount for the fiscal year
82 10 beginning July 1, 2008, for purposes of calculating the
82 11 withholding factor and for other ending balance purposes for
82 12 the fiscal year beginning July 1, 2010. The rebates received
82 13 by the department shall be credited to the property tax relief
82 14 fund and distributed as additional funding for the fiscal
82 15 year beginning July 1, 2010, in accordance with the formula
82 16 provisions in this section.

82 17 d. The withholding factor for a county shall be the
82 18 following applicable percent:

82 19 (1) For an ending balance percentage of less than 5
82 20 percent, a withholding factor of 0 percent. In addition,
82 21 a county that is subject to this lettered paragraph shall
82 22 receive an inflation adjustment equal to 3 percent of the gross
82 23 expenditures reported for the county's services fund for the
82 24 fiscal year.

82 25 (2) For an ending balance percentage of 5 percent or more
82 26 but less than 10 percent, a withholding factor of 0 percent.
82 27 In addition, a county that is subject to this lettered
82 28 paragraph shall receive an inflation adjustment equal to 2
82 29 percent of the gross expenditures reported for the county's
82 30 services fund for the fiscal year.

82 31 (3) For an ending balance percentage of 10 percent or more
82 32 but less than 25 percent, a withholding factor of 25 percent.
82 33 However, for a county that is subject to this subparagraph, the
82 34 amount withheld shall be limited to the amount by which the
82 35 county's ending balance was in excess of the ending balance
83 1 percentage of 10 percent.

83 2 (4) For an ending balance percentage of 25 percent or more,
83 3 a withholding percentage of 100 percent.

83 4 NEW SUBSECTION . 5. The total withholding amounts applied
83 5 pursuant to subsection 4 shall be equal to a withholding target

83 6 amount of \$13,075,453. If the department of human services
83 7 determines that the amount to be withheld in accordance with
83 8 subsection 4 is not equal to the target withholding amount,
83 9 the department shall adjust the withholding factors listed in
83 10 subsection 4 as necessary to achieve the target withholding
83 11 amount. However, in making such adjustments to the withholding
83 12 factors, the department shall strive to minimize changes to
83 13 the withholding factors for those ending balance percentage
83 14 ranges that are lower than others and shall not adjust the
83 15 zero withholding factor or the inflation adjustment percentage
83 16 specified in subsection 4, paragraph "d".

83 17 DIVISION VII
83 18 PRIOR APPROPRIATIONS AND
83 19 RELATED CHANGES
83 20 LEAD TRAINING AND
83 21 CERTIFICATION PROGRAMS

83 22 Sec. 49. Section 135.105A, subsection 5, Code Supplement
83 23 2009, is amended to read as follows:

83 24 5. The department shall adopt rules regarding minimum
83 25 requirements for lead inspector, lead abater, and lead=safe
83 26 renovator training programs, certification, work practice
83 27 standards, and suspension and revocation requirements, and
83 28 shall implement the training and certification programs. The
83 29 department shall seek federal funding and shall establish fees
83 30 in amounts sufficient to defray the cost of the programs.
83 31 The fees shall be used for any of the department's duties
83 32 under this division, including but not limited to the costs
83 33 of full=time equivalent positions for program services and
83 34 investigations. Fees received shall be considered repayment
83 35 receipts as defined in section 8.2.

CODE: Permits the DPH to utilize fees retained from the Lead Training and Certification Program for FTE positions.

84 1 CERTIFIED RETIREMENT COMMUNITIES

84 2 Sec. 50. Section 231.24, subsection 9, Code Supplement

CODE: Permits the Department on Aging to implement the Certified

84 3	2009, is amended to read as follows:	Retirement Communities Program when resources are available as
84 4	9. Program administration deferral. If in the fiscal	determined by the Director.
84 5	year beginning July 1, 2009, the department on aging's	
84 6	appropriations or authorized full-time equivalent positions are	
84 7	reduced, the The department may defer the implementation of	
84 8	the certified retirement communities program until such time	
84 9	as the department has the resources to administer the program ,	
84 10	<u>as determined by the director .</u>	
84 11	AREA AGENCY ON AGING	
84 12	BOARD TRAINING	
84 13	Sec. 51. Section 231.33, subsection 19, Code Supplement	CODE: Eliminates the requirement for the State to train Area Agency
84 14	2009, is amended by striking the subsection.	on Aging Boards. The funding for this was eliminated in FY 2010.
84 15	DEMENTIA TRAINING	
84 16	Sec. 52. 2008 Iowa Acts, chapter 1140, section 3, is amended	CODE: Allows the Department on Aging to implement the Dementia
84 17	to read as follows:	Training Program when resources are available as determined by the
84 18	SEC. 3. IMPLEMENTATION == CONTINGENCY . The department	Director.
84 19	of elder affairs on aging shall implement on or before July	
84 20	1, 2010, the initial provisions for expanding and improving	
84 21	training and education of those who regularly deal with persons	
84 22	with Alzheimer's disease and similar forms of irreversible	
84 23	dementia and for providing funding for public awareness efforts	
84 24	and educational efforts in accordance with section 231.62,	
84 25	as enacted by this Act , <u>contingent upon the availability of</u>	
84 26	<u>funding as determined by the director .</u>	
84 27	CHILD WELFARE DECATEGORIZATION	
84 28	FY 2008=2009 NONREVERSION	
84 29	Sec. 53. 2008 Iowa Acts, chapter 1187, section 16,	CODE: Requires the DHS to divert unexpended funds from FY 2009

84 30 subsection 5, is amended by adding the following new unnumbered
 84 31 paragraph:
 84 32 NEW UNNUMBERED PARAGRAPH Notwithstanding section
 84 33 232.188, subsection 5, moneys from the allocations made
 84 34 in this subsection or made from any other source for the
 84 35 decategorization of child welfare and juvenile justice funding
 85 1 initiative under section 232.188, that are designated as
 85 2 carryover funding that remain unencumbered or unobligated at
 85 3 the close of the fiscal year beginning July 1, 2009, following
 85 4 the transfer made pursuant to 2010 Iowa Acts, Senate File
 85 5 2366, section 19, if enacted, shall not revert but shall be
 85 6 used until the close of the fiscal year beginning July 1,
 85 7 2010, as follows: the first \$1,925,000 shall be transferred
 85 8 to the appropriation for medical assistance to be used to
 85 9 reduce the waiting lists for the medical assistance home and
 85 10 community-based services waivers, and the remainder shall be
 85 11 used for the purposes of continuing the initiative in the
 85 12 fiscal year.

lists for the Medicaid Home and Community-Based Services Waivers equally up to \$1,925,000 for FY 2011.

Delineates the priorities of the unexpended carryforward funds from the FY 2009 carryforward to be spent first on the \$1.0 million allocation to the Juvenile Detention Home Fund pursuant to SF 2366 (FY 2010 Supplemental Adjustments Act) and next on the Medicaid waivers waiting lists. Any amount of funding that is left is permitted to carryforward to be used for decategorization projects for FY 2011.

85 13 REGIONAL SERVICE NETWORK
 85 14 PILOT PROJECT

85 15 Sec. 54. 2008 Iowa Acts, chapter 1187, section 59,
 85 16 subsection 9, paragraph a, is amended to read as follows:
 85 17 a. The department of human services may implement a pilot
 85 18 project for a regional service network established for mental
 85 19 health, mental retardation, and developmental disabilities
 85 20 services paid from the services funds under section 331.424A.
 85 21 The initial term of the pilot project is limited to the
 85 22 ~~two-year~~ period beginning July 1, 2008, and ending June 30,
 85 23 ~~2010~~ 2011 .

Extends the multiple county pilot projects in north central Iowa.

DETAIL: This will be the third year for the Pilot Projects.

85 24 VIETNAM CONFLICT VETERANS
 85 25 BONUS FUND

85 26 Sec. 55. 2008 Iowa Acts, chapter 1187, section 68, as
85 27 amended by 2009 Iowa Acts, chapter 182, section 82, is amended
85 28 to read as follows:
85 29 Notwithstanding section 8.33, moneys appropriated in this
85 30 section that remain unencumbered or unobligated at the close of
85 31 the fiscal year shall not revert but shall remain available for
85 32 expenditure for the purposes designated until the close of the
85 33 fiscal year beginning July 1, ~~2009~~ 2010 .

CODE: Requires nonreversion of remaining funds from the previous appropriation for the Vietnam Veteran Bonus Fund through FY 2011.

85 34 INJURED VETERANS GRANT PROGRAM

85 35 Sec. 56. 2008 Iowa Acts, chapter 1187, section 69, as
86 1 amended by 2009 Iowa Acts, chapter 182, section 83, is amended
86 2 to read as follows:
86 3 Notwithstanding section 8.33, moneys appropriated in this
86 4 subsection that remain unencumbered or unobligated at the close
86 5 of the fiscal year shall not revert but shall remain available
86 6 for expenditure for the purposes designated until the close of
86 7 the fiscal year beginning July 1, ~~2009~~ 2010 .

CODE: Requires nonreversion of remaining funds from the previous appropriation for the Injured Veteran Grant Program through FY 2011.

86 8 HEALTH CARE COVERAGE 86 9 EXPANSION

86 10 Sec. 57. 2008 Iowa Acts, chapter 1188, section 16, as
86 11 amended by 2009 Iowa Acts, chapter 182, section 84, is amended
86 12 to read as follows:
86 13 SEC. 16. MEDICAL ASSISTANCE, HAWK=I, AND HAWK=I EXPANSION
86 14 PROGRAMS == COVERING CHILDREN == APPROPRIATION. There
86 15 is appropriated from the general fund of the state to the
86 16 department of human services for the designated fiscal years,
86 17 the following amounts, or so much thereof as is necessary, for
86 18 the purpose designated:
86 19 To cover children as provided in this Act under the medical
86 20 assistance, hawk=i, and hawk=i expansion programs and outreach
86 21 under the current structure of the programs:

CODE: Decreases the enacted FY 2011 appropriation to cover children under the Medical Assistance and hawk-i Programs by \$14,750,468.

DETAIL: This is a decrease of \$6,263,231 compared to estimated net FY 2010.

86 22	FY 2008=2009	\$ 4,800,000
86 23	FY 2009=2010	\$ 4,207,001
86 24	FY 2010=2011	\$ 24,800,000
86 25	<u>10,049,532</u>	

86 26 PATIENT DECISION
86 27 MAKING == PILOT PROJECT

86 28 Sec. 58. 2008 Iowa Acts, chapter 1188, section 36,
86 29 subsections 1 and 2, are amended to read as follows:
86 30 1. The department of public health shall establish a
86 31 ~~two-year~~ community coalition for patient treatment wishes
86 32 across the health care continuum pilot project, beginning July
86 33 1, 2008, and ending June 30, ~~2010~~ 2012, in a county with a
86 34 population of between ~~forty~~ one hundred seventy-five thousand
86 35 and ~~one~~ two hundred twenty-five thousand and in one contiguous
87 1 rural county. The pilot project shall utilize the process
87 2 based upon the national physicians orders for life sustaining
87 3 treatment program initiative, including use of a standardized
87 4 physician order for scope of treatment form. The process
87 5 shall require validation of the physician order for scope of
87 6 treatment form by the signature of an individual other than
87 7 the patient or the patient's legal representative who is not
87 8 an employee of the patient's physician. The pilot project may
87 9 include applicability to chronically ill, frail, and elderly or
87 10 terminally ill individuals in hospitals licensed pursuant to
87 11 chapter 135B, nursing facilities or residential care facilities
87 12 licensed pursuant to chapter 135C, or hospice programs as
87 13 defined in section 135J.1.

CODE: Amends the requirement in HF 2539 (Health Care Omnibus Act of 2008) that the DPH establish a two-year community coalition for patient treatment wishes across the health care continuum pilot project in Cedar Rapids by extending the project for two additional years through FY 2012.

87 14 2. The department of public health shall convene an
87 15 advisory council, consisting of representatives of entities
87 16 with interest in the pilot project, including but not
87 17 limited to the Iowa hospital association, the Iowa medical
87 18 society, organizations representing health care facilities,

CODE: Amends the reporting requirement in HF 2539 (Health Care Omnibus Act of 2008) for the advisory council for the health care continuum pilot project in Cedar Rapids by extending the deadline for two additional years to January 1, 2012.

87 19 representatives of health care providers, and the Iowa trial
 87 20 lawyers association, to develop recommendations for expanding
 87 21 the pilot project statewide. The advisory council shall report
 87 22 its findings and recommendations, including recommendations
 87 23 for legislation, to the governor and the general assembly by
 87 24 January 1, ~~2010~~ 2012 .

87 25 MEDICAID PROGRAMS == PROCESS
 87 26 REQUIREMENTS

87 27 Sec. 59. 2009 Iowa Acts, chapter 118, section 38, subsection
 87 28 3, is amended by striking the subsection.

CODE: Eliminates certain mailing requirements for the Iowa Medicaid Program.

DETAIL: The language required to extend the period for annual renewal by medical assistance members by mailing the renewal form to the member on the first day of the month prior to the month of renewal. The change would have cost the program an additional \$2.0 million for FY 2011.

87 29 GENERAL FUND ADDICTIVE DISORDERS == TOBACCO USE PREVENTION
 AND
 87 30 CONTROL INITIATIVE

87 31 Sec. 60. 2009 Iowa Acts, chapter 182, section 2, subsection
 87 32 1, paragraph a, is amended by adding the following new
 87 33 subparagraph:
 87 34 NEW SUBPARAGRAPH . (3) Notwithstanding section 8.33, moneys
 87 35 allocated in this paragraph "a" that remain unencumbered or
 88 1 unobligated at the close of the fiscal year shall not revert
 88 2 but shall remain available for expenditure for the purposes
 88 3 designated until the close of the succeeding fiscal year.

CODE: Requires nonreversion of the FY 2010 General Fund addictive disorders allocation to the tobacco use, prevention and control initiative through FY 2011. The Bill caps the amount of total carryforward from multiple sources to \$500,000.

DETAIL: This Section is effective on enactment.

88 4 IOWA VETERANS HOME

88 5 Sec. 61. 2009 Iowa Acts, chapter 182, section 3, subsection

CODE: Permits the Veterans Home to retain the first \$500,000 of FY

88 6 2, is amended by adding the following new paragraph:
88 7 NEW PARAGRAPH . d. The funds appropriated in this subsection
88 8 to the Iowa veterans home that remain available for expenditure
88 9 for the succeeding fiscal year pursuant to section 35D.18,
88 10 subsection 5, shall be distributed to be used in the succeeding
88 11 fiscal year in accordance with this lettered paragraph. The
88 12 first \$500,000 shall remain available to be used for the
88 13 purposes of the Iowa veterans home. On or before October 15,
88 14 2010, the department of management shall transfer not more than
88 15 \$1,000,000 to the appropriation to the department of human
88 16 services for field operations. Any remaining funding shall be
88 17 used for purposes of the Iowa veterans home.

2010 carryforward funds. Requires the DOM to transfer \$1,000,000 of the FY 2010 carryforward funds to the DHS for field operations for FY 2011. Requires the Veterans Home to retain remaining carryforward funding.

88 18 TEMPORARY ASSISTANCE FOR NEEDY
88 19 FAMILIES BLOCK GRANT

88 20 Sec. 62. 2009 Iowa Acts, chapter 182, section 5, is amended
88 21 by adding the following new subsection:
88 22 NEW SUBSECTION . 15. Notwithstanding section 8.33, moneys
88 23 appropriated in this section that remain unencumbered or
88 24 unobligated at the close of the fiscal year shall not revert
88 25 but shall remain available for expenditure for the family
88 26 investment program until the close of the succeeding fiscal
88 27 year.

CODE: Requires nonreversion of any FY 2010 TANF appropriations through FY 2011.

88 28 BEHAVIORAL HEALTH SERVICES
88 29 ACCOUNT == MEDICAL ASSISTANCE

88 30 Sec. 63. 2009 Iowa Acts, chapter 182, section 9, subsection
88 31 16, paragraph b, is amended to read as follows:
88 32 b. The department shall continue to maintain a separate
88 33 account within the medical assistance budget for the deposit
88 34 of all funds remitted pursuant to a contract with a third
88 35 party to administer behavioral health services under the
89 1 medical assistance program established pursuant to 2008 Iowa

CODE: Requires nonreversion of funding for the Children's Mental Health and Adult Mental Health Emergency Pilot Projects from the Behavioral Health Services Account. Any additional funds from the Account are to be used for the Medicaid Program.

89 2 Acts, chapter 1187, section 9, subsection 20. Notwithstanding
89 3 section 8.33, other than funds remaining from the appropriation
89 4 allocations made for implementation of the emergency mental
89 5 health crisis services and system, for implementation of the
89 6 mental health services system for children and youth, and
89 7 for training of child welfare services providers in 2008
89 8 Iowa Acts, chapter 1187, section 9, subsection 20, paragraph
89 9 "c", subparagraphs (1), (2), and (6), as authorized in 2009
89 10 Iowa Acts, chapter 182, section 72, funds remaining in the
89 11 account that remain unencumbered or unobligated at the end of
89 12 any the fiscal year shall not revert but shall remain available
89 13 in succeeding fiscal years and shall be used only in accordance
89 14 with appropriations from the account for health and human
89 15 services-related purposes are appropriated to the department to
89 16 be used for the medical assistance program .

89 17 STATE SUPPLEMENTARY
89 18 ASSISTANCE PROGRAM

89 19 Sec. 64. 2009 Iowa Acts, chapter 182, section 12, is amended
89 20 by adding the following new subsection:
89 21 NEW SUBSECTION . 4. Notwithstanding section 8.33, moneys
89 22 appropriated in this section that remain unencumbered or
89 23 unobligated at the close of the fiscal year shall remain
89 24 available for expenditure for the purposes designated until the
89 25 close of the succeeding fiscal year.

89 26 NEIGHBORHOOD AFFORDABLE
89 27 HOUSING == CHILD DEVELOPMENT
89 28 PROGRAM

89 29 Sec. 65. 2009 Iowa Acts, chapter 182, section 14, subsection
89 30 9, is amended by adding the following new unnumbered paragraph:
89 31 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
89 32 moneys allocated in this subsection that remain unencumbered or

CODE: Requires nonreversion of FY 2010 State Supplementary Assistance appropriations through FY 2011.

CODE: Requires nonreversion of unexpended one-time funding from FY 2010 for child development programming for children in the Oakridge Neighborhood in the city of Des Moines in Polk County through FY 2011.

89 33 unobligated at the close of the fiscal year shall not revert
89 34 but shall remain available for expenditure for the purposes
89 35 designated until expended.

90 1 IOWACARE

90 2 Sec. 66. 2009 Iowa Acts, chapter 182, section 48, subsection
90 3 3, unnumbered paragraph 2 and paragraph "a", are amended to
90 4 read as follows:

90 5 For distribution to a publicly owned acute care teaching
90 6 hospital located in a county with a population over 350,000 for
90 7 the provision of medical and surgical treatment of indigent
90 8 patients, for provision of services to members of the expansion
90 9 population pursuant to chapter 249J, and for medical education:
90 10 \$ ~~46,000,000~~

90 11 47,000,000

90 12 a. Notwithstanding any provision of law to the contrary, the
90 13 amount appropriated in this subsection shall be allocated in
90 14 twelve equal monthly payments as provided in section 249J.24.
90 15 Any amount appropriated in this subsection in excess of
90 16 ~~\$41,000,000~~ \$45,000,000 shall be distributed only if the sum
90 17 of the expansion population claims adjudicated and paid by the
90 18 Iowa Medicaid enterprise plus the estimated disproportionate
90 19 share hospital payments exceeds \$45,000,000. The amount paid
90 20 in excess of \$45,000,000 shall not adjust the original monthly
90 21 payment amount but shall be distributed monthly based on actual
90 22 claims adjudicated and paid by the Iowa Medicaid enterprise
90 23 plus the estimated disproportionate share hospital amount. Any
90 24 amount appropriated in this subsection in excess of \$45,000,000
90 25 shall be allocated only if federal funds are available to match
90 26 the amount allocated.

CODE: Increases the FY 2010 IowaCare Account appropriation by \$1,000,000 for a total of \$47,000,000 to Broadlawns Medical Center. In addition, Broadlawns is guaranteed at least \$45,000,000 as part of an agreement that provides \$38,000,000 in Polk County property tax dollars to draw down federal financial participation. Any payment in excess of \$45,000,000 is to be distributed based on actual claims.

90 27 HEALTH CARE TRUST FUND ADDICTIVE DISORDERS == TOBACCO USE
90 28 PREVENTION AND CONTROL INITIATIVE

90 29 Sec. 67. 2009 Iowa Acts, chapter 182, section 60, subsection

CODE: Requires nonreversion of the FY 2010 HCTF addictive

90 30 1, paragraph b, is amended by adding the following new
 90 31 unnumbered paragraph:
 90 32 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
 90 33 moneys allocated in this paragraph "b" that remain unencumbered
 90 34 or unobligated at the close of the fiscal year shall not revert
 90 35 but shall remain available for expenditure for the purposes
 91 1 designated until the close of the succeeding fiscal year.

disorders allocation to the tobacco use, prevention and control initiative through FY 2011. The Bill caps the amount of total carryforward from multiple sources to \$500,000.

DETAIL: This Section is effective on enactment.

91 2 ADDICTIVE DISORDERS == NONREVERSION

91 3 Sec. 68. ADDICTIVE DISORDERS NONREVERSION DIRECTIVE. The
 91 4 authority provided in this division of this Act for
 91 5 nonreversion of the appropriations for addictive disorders
 91 6 allocated for the tobacco use prevention and control
 91 7 initiative, as referenced in this section, is limited to
 91 8 \$500,000 and shall be realized by applying the authority to
 91 9 such appropriations in the following order until the limitation
 91 10 amount is reached:
 91 11 1. The allocation made from the general fund of the state
 91 12 in 2009 Iowa Acts, chapter 182, section 60, subsection 1,
 91 13 paragraph "b".
 91 14 2. The allocation made from the health care trust fund in
 91 15 2009 Iowa Acts, chapter 182, section 2, subsection 1, paragraph
 91 16 "a".

Specifies the order of priority for carrying forward the remaining FY 2010 Addictive Disorders funds to the tobacco use, prevention, and control initiative to FY 2011 totaling \$500,000. This includes first from the General Fund and second from the HCTF.

DETAIL: This Section is effective on enactment.

91 17 Sec. 69. 2009 Iowa Acts, chapter 182, section 5A, as enacted
 91 18 by 2010 Iowa Acts, Senate File 2151, section 2, is amended by
 91 19 adding the following new subsection:
 91 20 4. a. For the purposes of this subsection, "employment
 91 21 and training=related programs" means summer youth programs and
 91 22 other employment and training=related programs, as allowed
 91 23 by federal law, that are administered by the department of
 91 24 workforce development. To the extent other federal funding
 91 25 is not available for employment and training=related programs
 91 26 administered by the department of workforce development and

CODE: Conforms language relating to TANF emergency appropriations and the Summer Youth Program under the Iowa Department of Workforce Development in SF 2151 (FY 2010 Supplemental Appropriations Act) to this Bill.

91 27 provided the match requirement is met through the employment
91 28 programs, in addition to the amount appropriated in subsection
91 29 1, funding is appropriated from the same source and for
91 30 the same fiscal year addressed in subsection 1, to the
91 31 department of human services to be used for employment and
91 32 training-related programs administered by the department of
91 33 workforce development for the fiscal year beginning July 1,
91 34 2009, in accordance with the requirements of this subsection.
91 35 b. The department of human services shall collaborate
92 1 with the department of workforce development to secure
92 2 additional federal funds from the emergency contingency fund
92 3 for the temporary assistance for needy families state program
92 4 established pursuant to the federal American Recovery and
92 5 Reinvestment Act of 2009, Pub. L. No. 111=5 2101. This
92 6 collaboration shall be for the purpose of securing emergency
92 7 contingency funds to subsidize the administrative costs and
92 8 wages paid on behalf of individuals participating in the
92 9 employment and training-related programs and administered by
92 10 the department of workforce development. Such costs shall
92 11 be eligible for reimbursement under the terms of the federal
92 12 American Recovery and Reinvestment Act of 2009, Pub. L. No.
92 13 111=5 2101, or successor legislation, which may extend the
92 14 availability of emergency contingency funds. The collaboration
92 15 between the two agencies shall be formalized through a
92 16 memorandum of agreement.
92 17 c. Federal funds received as the result of this
92 18 collaboration shall be transferred to the department of
92 19 workforce development for the purpose of covering the
92 20 administrative costs and wages paid on behalf of individuals
92 21 participating in the employment and training-related programs
92 22 administered by the department of workforce development. The
92 23 department of workforce development shall ensure that all
92 24 expenditures comply with applicable federal requirements and
92 25 shall be responsible for the repayment of any funds spent
92 26 in error and any corresponding penalty as well as taking
92 27 corrective action to address the error. Funds received
92 28 in excess of the amount of subsidized wages eligible for
92 29 reimbursement under the terms of the federal American Recovery

92 30 and Reinvestment Act of 2009, Pub. L. No. 111=5 2101, or
 92 31 successor legislation, which may extend the availability
 92 32 of emergency contingency funds, shall be returned by the
 92 33 department of workforce development to the federal government
 92 34 following procedures developed by the federal temporary
 92 35 assistance for needy families agency for that purpose.
 93 1 d. The department of workforce development shall provide
 93 2 the department of human services with the necessary information
 93 3 to support the request for emergency contingency funds and to
 93 4 report the expenditure of these funds once received pursuant to
 93 5 federal reporting requirements. The responsibilities of both
 93 6 agencies shall be specified in the memorandum of agreement.

93 7 INTELLECTUAL DISABILITIES WAIVER

93 8 Sec. 70. INTELLECTUAL DISABILITIES WAIVER == STATEWIDE
 93 9 METHODOLOGY. In administering the medical assistance home
 93 10 and community=based services intellectual disability waiver,
 93 11 the total number of openings at any one time shall be limited
 93 12 to the number approved for the waiver by the secretary of the
 93 13 United States department of health and human services and
 93 14 available funding. Beginning July 1, 2010, the department
 93 15 shall implement a statewide method of allocating waiver slots
 93 16 and shall design a methodology for prioritizing the allocation
 93 17 of slots, subject to federal approval. The department
 93 18 shall convene a workgroup to develop criteria to prioritize
 93 19 individuals on the waiting list, subject to federal approval.

Requires the waiver waiting list for the Medicaid Intellectual Disabilities Waiver to be statewide beginning in FY 2011. The Department is to develop a methodology to prioritize the allocation of slots and is to convene a workgroup to develop criteria.

93 20 FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT
 93 21 FEDERAL FISCAL YEAR 2009=2010

93 22 Sec. 71. CHILD CARE AND DEVELOPMENT APPROPRIATION. There
 93 23 is appropriated from the fund created by section 8.41 to the
 93 24 department of human services for the federal fiscal year
 93 25 beginning October 1, 2009, and ending September 30, 2010, the

Appropriates the ARRA funding received by the DHS for the Child Care Development Block Grant to be used for the continuation of the infant and toddler quality program implemented in HF 820 (FY 2010 Federal Funds Appropriations Act) and to supplement funding for the

<p>93 26 following amount: 93 27 \$ 18,120,842 93 28 Funds appropriated in this section are the additional 93 29 funding anticipated to be received from the federal government 93 30 under the federal American Recovery and Reinvestment Act of 93 31 2009 for the federal child care and development block grant, 93 32 and include the allocation made from the funds for infant 93 33 and toddler care quality in 2009 Iowa Acts, chapter 183, 93 34 section 62. The department shall expend the remainder of the 93 35 funds appropriated in this section for the state child care 94 1 assistance program under section 237A.13, as provided in the 94 2 federal law making the funds available and in conformance with 94 3 chapter 17A.</p>	<p>Child Care Assistance Program for FY 2011.</p>
<p>94 4 FOOD ESTABLISHMENT INSPECTIONS</p>	
<p>94 5 Sec. 72. FOOD ESTABLISHMENT INSPECTIONS. Notwithstanding 94 6 any contrary provisions of section 137F.3A or other applicable 94 7 law, if within ninety calendar days of the effective date 94 8 of this division of this Act a county operating pursuant to 94 9 a chapter 28E agreement with the department of inspections 94 10 and appeals to enforce chapters 137C, 137D, and 137F, in a 94 11 multicounty area consisting of fifteen or more counties elects 94 12 not to renew the agreement for the multicounty area, and the 94 13 department has determined that the quality of service provided 94 14 by the county has been acceptable or better, the department 94 15 shall enter into an agreement with the county for the county to 94 16 continue such enforcement activity for the food establishments, 94 17 home food establishments, food processing plants, and hotels 94 18 located within the county.</p>	<p>CODE: Allows a county to turn over food inspections from a multicounty area back to the DIA but continue inspections for their own county if the quality of the counties inspections are acceptable.</p>
<p>94 19 Sec. 73. EFFECTIVE UPON ENACTMENT AND APPLICABILITY. 94 20 1. This division of this Act, being deemed of immediate 94 21 importance, takes effect upon enactment.</p>	<p>This Division is effective on enactment.</p>
<p>94 22 2. The section of this division of this Act amending section</p>	<p>The Section relating to the DPH Lead Training and Certification</p>

94 23 135.105A applies to any fees collected pursuant to section
 94 24 135.105A during or after the fiscal year beginning July 1,
 94 25 2009.

Program is retroactively effective to July 1, 2009.

94 26 DIVISION VIII

94 27 INTERSTATE COMPACT FOR JUVENILES

94 28 Sec. 74. Section 232.2, subsection 29, Code Supplement
 94 29 2009, is amended to read as follows:
 94 30 29. "Juvenile" means the same as "child". However, in
 94 31 the interstate compact ~~on~~ for juveniles, sections 232.171 and
 94 32 ~~232.172~~ section 232.173, "juvenile" means a person defined as a
 94 33 juvenile in ~~the law of a state which is a party to the compact.~~

94 34 Sec. 75. Section 232.172, Code 2009, is amended to read as
 94 35 follows:

95 1 232.172 Confinement of delinquent juvenile.

95 2 1. For a juvenile under the jurisdiction of this state
 95 3 who is subject to the interstate compact for juveniles
 95 4 under section 232.173, the confinement of the juvenile in an
 95 5 institution located within another compacting state shall be
 95 6 as provided under the compact.

95 7 2. This subsection applies to the confinement of a
 95 8 delinquent juvenile under the jurisdiction of this state in an
 95 9 institution located within a noncompacting state, as defined
 95 10 in section 232.173, that entered into the interstate compact
 95 11 on juveniles under section 232.171, Code 2009. In addition
 95 12 to any institution in which the authorities of this state may
 95 13 otherwise confine or order the confinement of ~~a~~ the delinquent
 95 14 juvenile, such authorities may, pursuant to the ~~out-of-state~~
 95 15 confinement amendment to the interstate compact on juveniles in
 95 16 section 232.171, Code 2009, confine or order the confinement
 95 17 of ~~a~~ the delinquent juvenile in a compact institution within
 95 18 another party state.

95 19 Sec. 76. NEW SECTION . 232.173 Interstate compact for
 95 20 juveniles.

95 21 1. Article I == Purpose.

CODE: Provides for ratification of the updated national Interstate Compact for Juveniles. The Compact provides for the legal framework and procedural means to regulate the movement across state lines of juveniles under court supervision. The Compact provides for monitoring and return of any juvenile that is placed on probation or parole and wishes to reside in another state. The Compact also outlines procedures for the return of runaway juveniles or juveniles that have absconded from probation or parole. The new regulations and procedures went into effect in December of 2009. Iowa was granted an extension until December of 2010. This compact pertains only to juvenile delinquents and the Juvenile Courts.

95 22 a. The compacting states to this interstate compact
95 23 recognize that each state is responsible for the proper
95 24 supervision or return of juveniles, delinquents, and status
95 25 offenders who are on probation or parole and who have
95 26 absconded, escaped, or run away from supervision and control
95 27 and in so doing have endangered their own safety and the safety
95 28 of others. The compacting states also recognize that each
95 29 state is responsible for the safe return of juveniles who have
95 30 run away from home and in doing so have left their state of
95 31 residence. The compacting states also recognize that Congress,
95 32 by enacting the Crime Control Act, 4 U.S.C. 112 (1965), has
95 33 authorized and encouraged compacts for cooperative efforts and
95 34 mutual assistance in the prevention of crime.

95 35 b. It is the purpose of this compact, through means of joint
96 1 and cooperative action among the compacting states to:

96 2 (1) Ensure that the adjudicated juveniles and status
96 3 offenders subject to this compact are provided adequate
96 4 supervision and services in the receiving state as ordered
96 5 by the adjudicating judge or parole authority in the sending
96 6 state.

96 7 (2) Ensure that the public safety interests of the citizens,
96 8 including the victims of juvenile offenders, in both the
96 9 sending and receiving states are adequately protected.

96 10 (3) Return juveniles who have run away, absconded, or
96 11 escaped from supervision or control or have been accused of an
96 12 offense to the state requesting their return.

96 13 (4) Make contracts for the cooperative institutionalization
96 14 in public facilities in member states for delinquent youth
96 15 needing special services.

96 16 (5) Provide for the effective tracking and supervision of
96 17 juveniles.

96 18 (6) Equitably allocate the costs, benefits, and obligations
96 19 of the compacting states.

96 20 (7) Establish procedures to manage the movement between
96 21 states of juvenile offenders released to the community under
96 22 the jurisdiction of courts, juvenile departments, or any other
96 23 criminal or juvenile justice agency which has jurisdiction over
96 24 juvenile offenders.

96 25 (8) Insure immediate notice to jurisdictions where defined
96 26 offenders are authorized to travel or to relocate across state
96 27 lines.

96 28 (9) Establish procedures to resolve pending charges
96 29 (detainers) against juvenile offenders prior to transfer or
96 30 release to the community under the terms of this compact.

96 31 (10) Establish a system of uniform data collection on
96 32 information pertaining to juveniles subject to this compact
96 33 that allows access by authorized juvenile justice and criminal
96 34 justice officials, and regular reporting of compact activities
96 35 to heads of state executive, judicial, and legislative branches
97 1 and juvenile and criminal justice administrators.

97 2 (11) Monitor compliance with rules governing interstate
97 3 movement of juveniles and initiate interventions to address and
97 4 correct noncompliance.

97 5 (12) Coordinate training and education regarding the
97 6 regulation of interstate movement of juveniles for officials
97 7 involved in such activity.

97 8 (13) Coordinate the implementation and operation of
97 9 the compact with the interstate compact for the placement
97 10 of children, the interstate compact for adult offender
97 11 supervision, and other compacts affecting juveniles
97 12 particularly in those cases where concurrent or overlapping
97 13 supervision issues arise.

97 14 c. It is the policy of the compacting states that the
97 15 activities conducted by the interstate commission created in
97 16 this compact are the formation of public policies and therefore
97 17 are public business. Furthermore, the compacting states shall
97 18 cooperate and observe their individual and collective duties
97 19 and responsibilities for the prompt return and acceptance of
97 20 juveniles subject to the provisions of this compact. The
97 21 provisions of this compact shall be reasonably and liberally
97 22 construed to accomplish the purposes and policies of the
97 23 compact.

97 24 2. Article II == Definitions. As used in this compact,
97 25 unless the context clearly requires a different construction:

97 26 a. "Bylaws" means those bylaws established by the interstate
97 27 commission for its governance, or for directing or controlling

97 28 its actions or conduct.

97 29 b. "Compact administrator" means the individual in each
97 30 compacting state appointed pursuant to the terms of this
97 31 compact, responsible for the administration and management of
97 32 the state's supervision and transfer of juveniles subject to
97 33 the terms of this compact, the rules adopted by the interstate
97 34 commission, and policies adopted by the state council under
97 35 this compact.

98 1 c. "Compacting state" means any state which has enacted the
98 2 enabling legislation for this compact.

98 3 d. "Commissioner" means the voting representative of each
98 4 compacting state appointed pursuant to article III of this
98 5 compact.

98 6 e. "Court" means any court having jurisdiction over
98 7 delinquent, neglected, or dependent children.

98 8 f. "Deputy compact administrator" means the individual,
98 9 if any, in each compacting state appointed to act on behalf
98 10 of a compact administrator pursuant to the terms of this
98 11 compact responsible for the administration and management of
98 12 the state's supervision and transfer of juveniles subject to
98 13 the terms of this compact, the rules adopted by the interstate
98 14 commission, and policies adopted by the state council under
98 15 this compact.

98 16 g. "Interstate commission" means the interstate commission
98 17 for juveniles created by article III of this compact.

98 18 h. "Juvenile" means any person defined as a juvenile in
98 19 any member state or by the rules of the interstate commission,
98 20 including persons who are any of the following:

98 21 (1) An accused delinquent, meaning a person charged with
98 22 an offense that, if committed by an adult, would be a criminal
98 23 offense.

98 24 (2) An adjudicated delinquent, meaning a person found to
98 25 have committed an offense that, if committed by an adult, would
98 26 be a criminal offense.

98 27 (3) An accused status offender, meaning a person charged
98 28 with an offense that would not be a criminal offense if
98 29 committed by an adult.

98 30 (4) An adjudicated status offender, meaning a person found

98 31 to have committed an offense that would not be a criminal
98 32 offense if committed by an adult.

98 33 (5) A nonoffender, meaning a person in need of supervision
98 34 who has not been accused or adjudicated a status offender or
98 35 delinquent.

99 1 i. "Noncompacting state" means any state which has not
99 2 enacted the enabling legislation for this compact.

99 3 j. "Probation or parole" means any kind of supervision or
99 4 conditional release of juveniles authorized under the laws of
99 5 the compacting states.

99 6 k. "Rule" means a written statement by the interstate
99 7 commission promulgated pursuant to article VI of this compact
99 8 that is of general applicability, implements, interprets
99 9 or prescribes a policy or provision of the compact, or an
99 10 organizational, procedural, or practice requirement of the
99 11 commission, and has the force and effect of statutory law in
99 12 a compacting state, and includes the amendment, repeal, or
99 13 suspension of an existing rule.

99 14 l. "State" means a state of the United States, the District
99 15 of Columbia or its designee, the Commonwealth of Puerto Rico,
99 16 the United States Virgin Islands, Guam, American Samoa, and the
99 17 Northern Marianas Islands.

99 18 3. Article III == Interstate commission for juveniles.

99 19 a. The compacting states hereby create the interstate
99 20 commission for juveniles. The commission shall be a body
99 21 corporate and joint agency of the compacting states. The
99 22 commission shall have all the responsibilities, powers, and
99 23 duties set forth in this compact, and such additional powers as
99 24 may be conferred upon it by subsequent action of the respective
99 25 legislatures of the compacting states in accordance with the
99 26 terms of this compact.

99 27 b. The interstate commission shall consist of commissioners
99 28 appointed by the appropriate appointing authority in
99 29 each state pursuant to the rules and requirements of each
99 30 compacting state and in consultation with the state council for
99 31 interstate juvenile supervision created in this compact. The
99 32 commissioner shall be the compact administrator, deputy compact
99 33 administrator, or designee from that state who shall serve on

99 34 the interstate commission in such capacity under or pursuant to
99 35 the applicable law of the compacting state.

100 1 c. In addition to the commissioners who are the voting
100 2 representatives of each state, the interstate commission shall
100 3 include individuals who are not commissioners, but who are
100 4 members of interested organizations. Such noncommissioner
100 5 members must include a member of the national organizations
100 6 of governors, legislators, state chief justices, attorneys
100 7 general, interstate compact for adult offender supervision,
100 8 interstate compact for the placement of children, juvenile
100 9 justice and juvenile corrections officials, and crime victims.
100 10 All noncommissioner members of the interstate commission
100 11 shall be ex officio, nonvoting members. The interstate
100 12 commission may provide in its bylaws for such additional ex
100 13 officio, nonvoting members, including members of other national
100 14 organizations, in such numbers as shall be determined by the
100 15 commission.

100 16 d. Each compacting state represented at any meeting of
100 17 the commission is entitled to one vote. A majority of the
100 18 compacting states shall constitute a quorum for the transaction
100 19 of business, unless a larger quorum is required by the bylaws
100 20 of the interstate commission.

100 21 e. The commission shall meet at least once each calendar
100 22 year. The chairperson may call additional meetings and, upon
100 23 the request of a simple majority of the compacting states,
100 24 shall call additional meetings. Public notice shall be given
100 25 of all meetings and meetings shall be open to the public.

100 26 f. The interstate commission shall establish an executive
100 27 committee, which shall include commission officers, members,
100 28 and others as determined by the bylaws. The executive
100 29 committee shall have the power to act on behalf of the
100 30 interstate commission during periods when the interstate
100 31 commission is not in session, with the exception of rulemaking
100 32 or amendment to the compact. The executive committee shall
100 33 oversee the day-to-day activities of the administration of
100 34 the compact managed by an executive director and interstate
100 35 commission staff; administer enforcement and compliance
101 1 with the provisions of the compact, its bylaws, and rules;

101 2 and perform such other duties as directed by the interstate
101 3 commission or set forth in the bylaws.

101 4 g. Each member of the interstate commission shall have
101 5 the right and power to cast a vote to which that compacting
101 6 state is entitled and to participate in the business and
101 7 affairs of the interstate commission. A member shall vote in
101 8 person and shall not delegate a vote to another compacting
101 9 state. However, a commissioner, in consultation with the state
101 10 council, shall appoint another authorized representative, in
101 11 the absence of the commissioner from that state, to cast a vote
101 12 on behalf of the compacting state at a specified meeting. The
101 13 bylaws may provide for members' participation in meetings by
101 14 telephone or other means of telecommunication or electronic
101 15 communication.

101 16 h. The interstate commission's bylaws shall establish
101 17 conditions and procedures under which the interstate commission
101 18 shall make its information and official records available
101 19 to the public for inspection or copying. The interstate
101 20 commission may exempt from disclosure any information or
101 21 official records to the extent they would adversely affect
101 22 personal privacy rights or proprietary interests.

101 23 i. Public notice shall be given of all meetings and all
101 24 meetings shall be open to the public, except as set forth
101 25 in the rules or as otherwise provided in the compact. The
101 26 interstate commission and any of its committees may close a
101 27 meeting to the public where it determines by two-thirds vote
101 28 that an open meeting would be likely to:

101 29 (1) Relate solely to the interstate commission's internal
101 30 personnel practices and procedures.

101 31 (2) Disclose matters specifically exempted from disclosure
101 32 by statute.

101 33 (3) Disclose trade secrets or commercial or financial
101 34 information which is privileged or confidential.

101 35 (4) Involve accusing any person of a crime, or formally
102 1 censuring any person.

102 2 (5) Disclose information of a personal nature where
102 3 disclosure would constitute a clearly unwarranted invasion of
102 4 personal privacy.

102 5 (6) Disclose investigative records compiled for law
102 6 enforcement purposes.

102 7 (7) Disclose information contained in or related to an
102 8 examination or operating or condition reports prepared by, or
102 9 on behalf of or for the use of, the interstate commission with
102 10 respect to a regulated person or entity for the purpose of
102 11 regulation or supervision of such person or entity.

102 12 (8) Disclose information, the premature disclosure of which
102 13 would significantly endanger the stability of a regulated
102 14 person or entity.

102 15 (9) Specifically relate to the interstate commission's
102 16 issuance of a subpoena, or its participation in a civil action
102 17 or other legal proceeding.

102 18 j. For every meeting closed pursuant to this provision, the
102 19 interstate commission's legal counsel shall publicly certify
102 20 that, in the legal counsel's opinion, the meeting may be closed
102 21 to the public, and shall reference each relevant exemptive
102 22 provision. The interstate commission shall keep minutes
102 23 which shall fully and clearly describe all matters discussed
102 24 in any meeting and shall provide a full and accurate summary
102 25 of any actions taken, and the reasons therefore, including a
102 26 description of each of the views expressed on any item and the
102 27 record of any roll call vote, reflected in the vote of each
102 28 member on the question. All documents considered in connection
102 29 with any action shall be identified in such minutes.

102 30 k. The interstate commission shall collect standardized data
102 31 concerning the interstate movement of juveniles as directed
102 32 through its rules which shall specify the data to be collected,
102 33 the means of collection, and data exchange and reporting
102 34 requirements. Such methods of data collection, exchange, and
102 35 reporting shall insofar as is reasonably possible conform to
103 1 up-to-date technology and coordinate its information functions
103 2 with the appropriate repository of records.

103 3 4. Article IV == Powers and duties of the interstate
103 4 commission. The commission shall have the following powers and
103 5 duties:

103 6 a. To provide for dispute resolution among compacting
103 7 states.

103 8 b. To promulgate rules to effect the purposes and
103 9 obligations as enumerated in this compact, which shall have the
103 10 force and effect of statutory law and shall be binding in the
103 11 compacting states to the extent and in the manner provided in
103 12 this compact.

103 13 c. To oversee, supervise, and coordinate the interstate
103 14 movement of juveniles subject to the terms of this compact and
103 15 any bylaws adopted and rules promulgated by the interstate
103 16 commission.

103 17 d. To enforce compliance with the compact provisions, the
103 18 rules promulgated by the interstate commission, and the bylaws,
103 19 using all necessary and proper means, including but not limited
103 20 to the use of judicial process.

103 21 e. To establish and maintain offices which shall be located
103 22 within one or more of the compacting states.

103 23 f. To purchase and maintain insurance and bonds.

103 24 g. To borrow, accept, hire, or contract for services of
103 25 personnel.

103 26 h. To establish and appoint committees and hire staff
103 27 which it deems necessary for the carrying out of its functions
103 28 including but not limited to an executive committee as required
103 29 by article III which shall have the power to act on behalf of
103 30 the interstate commission in carrying out its powers and duties
103 31 hereunder.

103 32 i. To elect or appoint such officers, attorneys, employees,
103 33 agents, or consultants, and to fix their compensation, define
103 34 their duties and determine their qualifications; and to
103 35 establish the interstate commission's personnel policies and
104 1 programs relating to, inter alia, conflicts of interest, rates
104 2 of compensation, and qualifications of personnel.

104 3 j. To accept any and all donations and grants of money,
104 4 equipment, supplies, materials, and services, and to receive,
104 5 utilize, and dispose of it.

104 6 k. To lease, purchase, accept contributions or donations of,
104 7 or otherwise to own, hold, improve, or use any property, real,
104 8 personal, or mixed.

104 9 l. To sell, convey, mortgage, pledge, lease, exchange,
104 10 abandon, or otherwise dispose of any property, real, personal,

104 11 or mixed.

104 12 m. To establish a budget and make expenditures and levy dues

104 13 as provided in article VIII of this compact.

104 14 n. To sue and be sued.

104 15 o. To adopt a seal and bylaws governing the management and

104 16 operation of the interstate commission.

104 17 p. To perform such functions as may be necessary or

104 18 appropriate to achieve the purposes of this compact.

104 19 q. To report annually to the legislatures, governors,

104 20 judiciary, and state councils of the compacting states

104 21 concerning the activities of the interstate commission during

104 22 the preceding year. Such reports shall also include any

104 23 recommendations that may have been adopted by the interstate

104 24 commission.

104 25 r. To coordinate education, training, and public awareness

104 26 regarding the interstate movement of juveniles for officials

104 27 involved in such activity.

104 28 s. To establish uniform standards of the reporting,

104 29 collecting, and exchanging of data.

104 30 t. The interstate commission shall maintain its corporate

104 31 books and records in accordance with the bylaws.

104 32 5. Article V == Organization and operation of the interstate

104 33 commission.

104 34 a. Bylaws. The interstate commission shall, by a majority

104 35 of the members present and voting, within twelve months after

105 1 the first interstate commission meeting, adopt bylaws to govern

105 2 its conduct as may be necessary or appropriate to carry out the

105 3 purposes of the compact, including but not limited to all of

105 4 the following:

105 5 (1) Establishing the fiscal year of the interstate

105 6 commission.

105 7 (2) Establishing an executive committee and such other

105 8 committees as may be necessary.

105 9 (3) Provide for the establishment of committees governing

105 10 any general or specific delegation of any authority or function

105 11 of the interstate commission.

105 12 (4) Providing reasonable procedures for calling and

105 13 conducting meetings of the interstate commission and ensuring

105 14 reasonable notice of each such meeting.
105 15 (5) Establishing the titles and responsibilities of the
105 16 officers of the interstate commission.
105 17 (6) Providing a mechanism for concluding the operations of
105 18 the interstate commission and the return of any surplus funds
105 19 that may exist upon the termination of the compact after the
105 20 payment or reserving of all of its debts and obligations.
105 21 (7) Providing "start-up" rules for initial administration
105 22 of the compact.
105 23 (8) Establishing standards and procedures for compliance
105 24 and technical assistance in carrying out the compact.
105 25 b. Officers and staff.
105 26 (1) The interstate commission shall, by a majority of the
105 27 members, elect annually from among its members a chairperson
105 28 and a vice chairperson, each of whom shall have such authority
105 29 and duties as may be specified in the bylaws. The chairperson
105 30 or, in the chairperson's absence or disability, the vice
105 31 chairperson shall preside at all meetings of the interstate
105 32 commission. The officers so elected shall serve without
105 33 compensation or remuneration from the interstate commission;
105 34 provided that, subject to the availability of budgeted funds,
105 35 the officers shall be reimbursed for any ordinary and necessary
106 1 costs and expenses incurred by them in the performance of their
106 2 duties and responsibilities as officers of the interstate
106 3 commission.
106 4 (2) The interstate commission shall, through its executive
106 5 committee, appoint or retain an executive director for
106 6 such period, upon such terms and conditions and for such
106 7 compensation as the interstate commission may deem appropriate.
106 8 The executive director shall serve as secretary to the
106 9 interstate commission, but shall not be a member and shall hire
106 10 and supervise such other staff as may be authorized by the
106 11 interstate commission.
106 12 c. Immunity, defense, and indemnification.
106 13 (1) The commission's executive director and employees shall
106 14 be immune from suit and liability, either personally or in
106 15 their official capacity, for any claim for damage to or loss
106 16 of property or personal injury or other civil liability caused

106 17 or arising out of or relating to any actual or alleged act,
106 18 error, or omission that occurred, or that such person had a
106 19 reasonable basis for believing occurred within the scope of
106 20 commission employment, duties, or responsibilities; provided,
106 21 that any such person shall not be protected from suit or
106 22 liability for any damage, loss, injury, or liability caused by
106 23 the intentional or willful and wanton misconduct of any such
106 24 person.

106 25 (2) The liability of any commissioner, or the employee
106 26 or agent of a commissioner, acting within the scope of such
106 27 person's employment or duties for acts, errors, or omissions
106 28 occurring within such person's state may not exceed the limits
106 29 of liability set forth under the constitution and laws of that
106 30 state for state officials, employees, and agents. Nothing
106 31 in this subparagraph shall be construed to protect any such
106 32 person from suit or liability for any damage, loss, injury,
106 33 or liability caused by the intentional or willful and wanton
106 34 misconduct of any such person.

106 35 (3) The interstate commission shall defend the executive
107 1 director or the employees or representatives of the interstate
107 2 commission and, subject to the approval of the attorney general
107 3 of the state represented by any commissioner of a compacting
107 4 state, shall defend such commissioner or the commissioner's
107 5 representatives or employees in any civil action seeking to
107 6 impose liability arising out of any actual or alleged act,
107 7 error, or omission that occurred within the scope of interstate
107 8 commission employment, duties, or responsibilities, or that
107 9 the defendant had a reasonable basis for believing occurred
107 10 within the scope of interstate commission employment, duties,
107 11 or responsibilities, provided that the actual or alleged act,
107 12 error, or omission did not result from intentional or willful
107 13 and wanton misconduct on the part of such person.

107 14 (4) The interstate commission shall indemnify and hold
107 15 the commissioner of a compacting state, or the commissioner's
107 16 representatives or employees, or the interstate commission's
107 17 representatives or employees, harmless in the amount of any
107 18 settlement or judgment obtained against such persons arising
107 19 out of any actual or alleged act, error, or omission that

107 20 occurred within the scope of interstate commission employment,
107 21 duties, or responsibilities, or that such persons had a
107 22 reasonable basis for believing occurred within the scope of
107 23 interstate commission employment, duties, or responsibilities,
107 24 provided that the actual or alleged act, error, or omission did
107 25 not result from intentional or willful and wanton misconduct on
107 26 the part of such persons.

107 27 6. Article VI == Rulemaking functions of the interstate
107 28 commission.

107 29 a. The interstate commission shall promulgate and publish
107 30 rules in order to effectively and efficiently achieve the
107 31 purposes of the compact.

107 32 b. Rulemaking shall occur pursuant to the criteria set
107 33 forth in this article and the bylaws and rules adopted pursuant
107 34 thereto. Such rulemaking shall substantially conform to the
107 35 principles of the model state administrative procedures Act,
108 1 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000), or
108 2 such other administrative procedures act, as the interstate
108 3 commission deems appropriate consistent with due process
108 4 requirements under the Constitution of the United States as now
108 5 or hereafter interpreted by the United States supreme court.
108 6 All rules and amendments shall become binding as of the date
108 7 specified, as published with the final version of the rule as
108 8 approved by the commission.

108 9 c. When promulgating a rule, the interstate commission
108 10 shall, at a minimum, do all of the following:

108 11 (1) Publish the proposed rule's entire text stating the
108 12 reasons for that proposed rule.

108 13 (2) Allow and invite any and all persons to submit written
108 14 data, facts, opinions, and arguments, which information shall
108 15 be added to the record, and be made publicly available.

108 16 (3) Provide an opportunity for an informal hearing if
108 17 petitioned by ten or more persons.

108 18 (4) Promulgate a final rule and its effective date, if
108 19 appropriate, based on input from state or local officials, or
108 20 interested parties.

108 21 d. Allow, not later than sixty days after a rule is
108 22 promulgated, any interested person to file a petition in the

108 23 United States district court for the District of Columbia or in
108 24 the federal district court where the interstate commission's
108 25 principal office is located for judicial review of such rule.
108 26 If the court finds that the interstate commission's action is
108 27 not supported by substantial evidence in the rulemaking record,
108 28 the court shall hold the rule unlawful and set it aside. For
108 29 purposes of this lettered paragraph, evidence is substantial
108 30 if it would be considered substantial evidence under the model
108 31 state administrative procedures Act.

108 32 e. If a majority of the legislatures of the compacting
108 33 states rejects a rule, those states may, by enactment of a
108 34 statute or resolution in the same manner used to adopt the
108 35 compact, cause that such rule shall have no further force and
109 1 effect in any compacting state.

109 2 f. The existing rules governing the operation of the
109 3 interstate compact on juveniles superseded by this compact
109 4 shall be null and void twelve months after the first meeting of
109 5 the interstate commission created hereunder.

109 6 g. Upon determination by the interstate commission that
109 7 a state of emergency exists, it may promulgate an emergency
109 8 rule which shall become effective immediately upon adoption,
109 9 provided that the usual rulemaking procedures provided
109 10 hereunder shall be retroactively applied to said rule as soon
109 11 as reasonably possible, but no later than ninety days after the
109 12 effective date of the emergency rule.

109 13 7. Article VII == Oversight, enforcement, and dispute
109 14 resolution by the interstate commission.

109 15 a. Oversight.

109 16 (1) The interstate commission shall oversee the
109 17 administration and operations of the interstate movement of
109 18 juveniles subject to this compact in the compacting states
109 19 and shall monitor such activities being administered in
109 20 noncompacting states which may significantly affect compacting
109 21 states.

109 22 (2) The courts and executive agencies in each compacting
109 23 state shall enforce this compact and shall take all actions
109 24 necessary and appropriate to effectuate the compact's
109 25 purposes and intent. The provisions of this compact and the

109 26 rules promulgated hereunder shall be received by all the
109 27 judges, public officers, commissions, and departments of
109 28 the state government as evidence of the authorized statute
109 29 and administrative rules. All courts shall take judicial
109 30 notice of the compact and the rules. In any judicial or
109 31 administrative proceeding in a compacting state pertaining to
109 32 the subject matter of this compact which may affect the powers,
109 33 responsibilities, or actions of the interstate commission, it
109 34 shall be entitled to receive all service of process in any
109 35 such proceeding, and shall have standing to intervene in the
110 1 proceeding for all purposes.

110 2 b. Dispute resolution.

110 3 (1) The compacting states shall report to the interstate
110 4 commission on all issues and activities necessary for the
110 5 administration of the compact as well as issues and activities
110 6 pertaining to compliance with the provisions of the compact and
110 7 its bylaws and rules.

110 8 (2) The interstate commission shall attempt, upon the
110 9 request of a compacting state, to resolve any disputes or
110 10 other issues which are subject to the compact and which may
110 11 arise among compacting states and between compacting and
110 12 noncompacting states. The commission shall promulgate a rule
110 13 providing for both mediation and binding dispute resolution for
110 14 disputes among the compacting states.

110 15 (3) The interstate commission, in the reasonable exercise
110 16 of its discretion, shall enforce the provisions and rules of
110 17 this compact using any or all means set forth in article XI of
110 18 this compact.

110 19 8. Article VIII == Finance.

110 20 a. The interstate commission shall pay or provide for
110 21 the payment of the reasonable expenses of its establishment,
110 22 organization, and ongoing activities.

110 23 b. The interstate commission shall levy on and collect an
110 24 annual assessment from each compacting state to cover the cost
110 25 of the internal operations and activities of the interstate
110 26 commission and its staff which must be in a total amount
110 27 sufficient to cover the interstate commission's annual budget
110 28 as approved each year. The aggregate annual assessment amount

110 29 shall be allocated based upon a formula to be determined by the
110 30 interstate commission, taking into consideration the population
110 31 of each compacting state and the volume of interstate movement
110 32 of juveniles in each compacting state and shall promulgate a
110 33 rule binding upon all compacting states which governs said
110 34 assessment.

110 35 c. The interstate commission shall not incur any obligations
111 1 of any kind prior to securing the funds adequate to meet the
111 2 same; nor shall the interstate commission pledge the credit of
111 3 any of the compacting states, except by and with the authority
111 4 of the compacting state.

111 5 d. The interstate commission shall keep accurate accounts of
111 6 all receipts and disbursements. The receipts and disbursements
111 7 of the interstate commission shall be subject to the audit
111 8 and accounting procedures established under its bylaws.
111 9 However, all receipts and disbursements of funds handled by the
111 10 interstate commission shall be audited yearly by a certified or
111 11 licensed public accountant and the report of the audit shall
111 12 be included in and become part of the annual report of the
111 13 interstate commission.

111 14 9. Article IX == The state council. Each member state shall
111 15 create a state council for interstate juvenile supervision.
111 16 While each state may determine the membership of its own
111 17 state council, its membership must include at least one
111 18 representative from the legislative, judicial, and executive
111 19 branches of government, victims groups, and the compact
111 20 administrator, deputy compact administrator, or designee.
111 21 Each compacting state retains the right to determine the
111 22 qualifications of the compact administrator or deputy compact
111 23 administrator. Each state council will advise and may exercise
111 24 oversight and advocacy concerning that state's participation
111 25 in interstate commission activities and other duties as may
111 26 be determined by that state, including but not limited to
111 27 development of policy concerning operations and procedures of
111 28 the compact within that state.

111 29 10. Article X == Compacting states, effective date, and
111 30 amendment.

111 31 a. Any state, the District of Columbia, or its designee, the

111 32 Commonwealth of Puerto Rico, the United States Virgin Islands,
111 33 Guam, American Samoa, and the Northern Marianas Islands as
111 34 defined in article II of this compact is eligible to become a
111 35 compacting state.

112 1 b. The compact shall become effective and binding upon
112 2 legislative enactment of the compact into law by no less than
112 3 thirty=five of the states. The initial effective date shall
112 4 be the later of July 1, 2004, or upon enactment into law by
112 5 the thirty=fifth jurisdiction. Thereafter it shall become
112 6 effective and binding as to any other compacting state upon
112 7 enactment of the compact into law by that state. The governors
112 8 of nonmember states or their designees shall be invited to
112 9 participate in the activities of the interstate commission on a
112 10 nonvoting basis prior to adoption of the compact by all states
112 11 and territories of the United States.

112 12 c. The interstate commission may propose amendments to the
112 13 compact for enactment by the compacting states. No amendment
112 14 shall become effective and binding upon the interstate
112 15 commission and the compacting states unless and until it is
112 16 enacted into law by unanimous consent of the compacting states.

112 17 11. Article XI == Withdrawal, default, termination, and
112 18 judicial enforcement.

112 19 a. Withdrawal.

112 20 (1) Once effective, the compact shall continue in force and
112 21 remain binding upon each and every compacting state; provided
112 22 that a compacting state may withdraw from the compact by
112 23 specifically repealing the statute which enacted the compact
112 24 into law.

112 25 (2) The effective date of withdrawal is the effective date
112 26 of the repeal.

112 27 (3) The withdrawing state shall immediately notify the
112 28 chairperson of the interstate commission in writing upon the
112 29 introduction of legislation repealing this compact in the
112 30 withdrawing state. The interstate commission shall notify the
112 31 other compacting states of the withdrawing state's intent to
112 32 withdraw within sixty days of its receipt thereof.

112 33 (4) The withdrawing state is responsible for all
112 34 assessments, obligations, and liabilities incurred through

112 35 the effective date of withdrawal, including any obligations,
113 1 the performance of which extend beyond the effective date of
113 2 withdrawal.
113 3 (5) Reinstatement following withdrawal of any compacting
113 4 state shall occur upon the withdrawing state reenacting the
113 5 compact or upon such later date as determined by the interstate
113 6 commission.
113 7 b. Technical assistance, fines, suspension, termination, and
113 8 default.
113 9 (1) If the interstate commission determines that any
113 10 compacting state has at any time defaulted in the performance
113 11 of any of its obligations or responsibilities under this
113 12 compact, or the bylaws or duly promulgated rules, the
113 13 interstate commission may impose any or all of the following
113 14 penalties:
113 15 (a) Remedial training and technical assistance as directed
113 16 by the interstate commission.
113 17 (b) Alternative dispute resolution.
113 18 (c) Fines, fees, and costs in such amounts as are deemed to
113 19 be reasonable as fixed by the interstate commission.
113 20 (d) Suspension or termination of membership in the compact,
113 21 which shall be imposed only after all other reasonable
113 22 means of securing compliance under the bylaws and rules have
113 23 been exhausted and the interstate commission has therefore
113 24 determined that the offending state is in default. Immediate
113 25 notice of suspension shall be given by the interstate
113 26 commission to the governor, the chief justice or the chief
113 27 judicial officer of the state, the majority and minority
113 28 leaders of the defaulting state's legislature, and the state
113 29 council.
113 30 (2) The grounds for default include, but are not limited to,
113 31 failure of a compacting state to perform such obligations or
113 32 responsibilities imposed upon it by this compact, the bylaws
113 33 or duly promulgated rules, and any other grounds designated in
113 34 commission bylaws and rules.
113 35 (3) The interstate commission shall immediately notify
114 1 the defaulting state in writing of the penalty imposed by the
114 2 interstate commission and of the default pending a cure of

114 3 the default. The commission shall stipulate the conditions
114 4 and the time period within which the defaulting state must
114 5 cure its default. If the defaulting state fails to cure the
114 6 default within the time period specified by the commission,
114 7 the defaulting state shall be terminated from the compact upon
114 8 an affirmative vote of a majority of the compacting states and
114 9 all rights, privileges, and benefits conferred by this compact
114 10 shall be terminated from the effective date of termination.
114 11 (4) Within sixty days of the effective date of termination
114 12 of a defaulting state, the commission shall notify the
114 13 governor, the chief justice or chief judicial officer, the
114 14 majority and minority leaders of the defaulting state's
114 15 legislature, and the state council of such termination.
114 16 (5) The defaulting state is responsible for all
114 17 assessments, obligations, and liabilities incurred through
114 18 the effective date of termination including any obligations,
114 19 the performance of which extends beyond the effective date of
114 20 termination.
114 21 (6) The interstate commission shall not bear any costs
114 22 relating to the defaulting state unless otherwise mutually
114 23 agreed upon in writing between the interstate commission and
114 24 the defaulting state.
114 25 (7) Reinstatement following termination of any compacting
114 26 state requires both a reenactment of the compact by the
114 27 defaulting state and the approval of the interstate commission
114 28 pursuant to the rules.
114 29 c. Judicial enforcement. The interstate commission may,
114 30 by majority vote of the members, initiate legal action in the
114 31 United States district court for the District of Columbia or,
114 32 at the discretion of the interstate commission, in the federal
114 33 district where the interstate commission has its offices, to
114 34 enforce compliance with the provisions of the compact, its duly
114 35 promulgated rules and bylaws, against any compacting state in
115 1 default. In the event judicial enforcement is necessary the
115 2 prevailing party shall be awarded all costs of such litigation
115 3 including reasonable attorney fees.
115 4 d. Dissolution of compact.
115 5 (1) The compact dissolves effective upon the date of the

115 6 withdrawal or default of the compacting state, which reduces
115 7 membership in the compact to one compacting state.
115 8 (2) Upon the dissolution of this compact, the compact
115 9 becomes null and void and shall be of no further force
115 10 or effect, and the business and affairs of the interstate
115 11 commission shall be concluded and any surplus funds shall be
115 12 distributed in accordance with the bylaws.
115 13 12. Article XII == Severability and construction.
115 14 a. The provisions of this compact shall be severable,
115 15 and if any phrase, clause, sentence, or provision is deemed
115 16 unenforceable, the remaining provisions of the compact shall
115 17 be enforceable.
115 18 b. The provisions of this compact shall be liberally
115 19 construed to effectuate its purposes.
115 20 13. Article XIII == Binding effect of compact and other laws.
115 21 a. Other laws.
115 22 (1) Nothing in this compact prevents the enforcement of any
115 23 other law of a compacting state that is not inconsistent with
115 24 this compact.
115 25 (2) All compacting states' laws other than state
115 26 constitutions and other interstate compacts conflicting with
115 27 this compact are superseded to the extent of the conflict.
115 28 b. Binding effect of the compact.
115 29 (1) All lawful actions of the interstate commission,
115 30 including all rules and bylaws promulgated by the interstate
115 31 commission, are binding upon the compacting states.
115 32 (2) All agreements between the interstate commission and
115 33 the compacting states are binding in accordance with their
115 34 terms.
115 35 (3) Upon the request of a party to a conflict over meaning
116 1 or interpretation of interstate commission actions, and upon
116 2 a majority vote of the compacting states, the interstate
116 3 commission may issue advisory opinions regarding such meaning
116 4 or interpretation.
116 5 (4) In the event any provision of this compact exceeds
116 6 the constitutional limits imposed on the legislature of
116 7 any compacting state, the obligations, duties, powers, or
116 8 jurisdiction sought to be conferred by such provision upon

116 9 the interstate commission shall be ineffective and such
116 10 obligations, duties, powers, or jurisdiction shall remain in
116 11 the compacting state and shall be exercised by the agency
116 12 thereof to which such obligations, duties, powers, or
116 13 jurisdiction are delegated by law in effect at the time this
116 14 compact becomes effective.

116 15 DIVISION IX

116 16 MISCELLANEOUS

116 17 Sec. 77. Section 135.12, Code 2009, is amended by striking
116 18 the section and inserting in lieu thereof the following:

116 19 135.12 Office of minority and multicultural health ==
116 20 established == duties.

116 21 1. The office of minority and multicultural health is
116 22 established in the department. The purpose of the office
116 23 is to improve the health of racial and ethnic minorities by
116 24 bridging communication, delivery, and service requirements,
116 25 and by providing customized services and practical approaches
116 26 to problems and issues encountered by organizations and
116 27 communities working to address the needs of these populations.

116 28 2. The office of minority and multicultural health shall be
116 29 responsible for all of the following:

116 30 a. Serving as the liaison and advocate for the department on
116 31 minority and multicultural health matters.

116 32 b. Assisting academic institutions, state agencies,
116 33 community groups, and other entities in institutionalizing
116 34 cultural competency within the health care workforce and
116 35 delivery system through education, training, and practice to
117 1 effectively address cross-cultural disparity and achieve health
117 2 equity.

117 3 c. Promoting community strategic planning.

117 4 d. Reviewing the impact of programs, regulations, and
117 5 health care resource policies on the delivery of and access to
117 6 minority and multicultural health services.

CODE: Changes the duties of the Office of Minority and Multicultural Health in the DPH.

117 7 Sec. 78. Section 135N.3, subsection 2, Code 2009, is amended
 117 8 to read as follows:
 117 9 2. The committee shall review and make recommendations to
 117 10 the ~~director~~ center for congenital and inherited disorders
 117 11 advisory committee established by rule of the department
 117 12 pursuant to chapter 136A concerning but not limited to the
 117 13 following:

CODE: Requires the Hemophilia Advisory Committee to review and make recommendations to the Center for Congenital and Inherited Disorders Advisory Committee that is currently established in the DPH.

117 14 Sec. 79. Section 135N.5, subsection 1, Code 2009, is amended
 117 15 to read as follows:
 117 16 1. The committee shall meet ~~no less than four times per~~
 117 17 ~~year~~ as often as deemed necessary and is subject to chapters
 117 18 21 and 22 relating to open meetings and public records. To
 117 19 the maximum extent possible, the committee shall coordinate
 117 20 meeting schedules and staffing with the center for congenital
 117 21 and inherited disorders advisory committee established by rule
 117 22 of the department pursuant to chapter 136A.

CODE: Permits the DPH to convene the Hemophilia Advisory Committee as often as deemed necessary but to coordinate meetings and staffing with the Center for Congenital and Inherited Disorders Advisory Committee to the maximum extent possible.

117 23 Sec. 80. Section 232.188, subsection 5, paragraph b,
 117 24 unnumbered paragraph 1, Code 2009, is amended to read as
 117 25 follows:
 117 26 Notwithstanding section 8.33, moneys designated for a
 117 27 project's decategorization services funding pool that remain
 117 28 unencumbered or unobligated at the close of the fiscal year
 117 29 shall not revert but shall remain available for expenditure
 117 30 as directed by the project's governance board for child
 117 31 welfare and juvenile justice systems enhancements and other
 117 32 purposes of the project ~~until the close of the succeeding~~
 117 33 ~~fiscal year and for the next two succeeding fiscal years.~~
 117 34 Such moneys shall be known as "carryover funding". Moneys may
 117 35 be made available to a funding pool from one or more of the
 118 1 following sources:

CODE: Permits unexpended decategorization funding to carryforward for two succeeding fiscal years instead of the current one-year maximum limit beginning in FY 2011 with FY 2010 carryforward funding that will be permitted to carryforward through FY 2012.

118 2 Sec. 81. Section 237A.3A, subsection 3, Code Supplement
 118 3 2009, is amended by adding the following new paragraph:

CODE: Requires the DHS to exempt jury duty or official duties relating to membership on a State board, committee, or other policy

118 4 NEW PARAGRAPH . e. If the department adopts rules
 118 5 establishing a limitation on the number of hours for which
 118 6 substitute care may be utilized by the provider, such a
 118 7 limitation shall not apply to or incorporate substitute care
 118 8 utilized when the provider is engaged in jury duty or in
 118 9 official duties connected with the provider's membership on a
 118 10 state board, committee, or other policy-related body.

related body from the limitation of the number of hours permitted for providers to use substitute child care.

118 11 Sec. 82. Section 453A.35, subsection 1, Code Supplement
 118 12 2009, is amended to read as follows:

CODE: Reduces the transfer from the General Fund to the HCTF from \$117,796,000 to \$106,016,400.

118 13 1. The proceeds derived from the sale of stamps and the
 118 14 payment of taxes, fees, and penalties provided for under this
 118 15 chapter, and the permit fees received from all permits issued
 118 16 by the department, shall be credited to the general fund of
 118 17 the state. However, of the revenues generated from the tax on
 118 18 cigarettes pursuant to section 453A.6, subsection 1, and from
 118 19 the tax on tobacco products as specified in section 453A.43,
 118 20 subsections 1, 2, 3, and 4, and credited to the general fund
 118 21 of the state under this subsection, there is appropriated,
 118 22 annually, to the health care trust fund created in section
 118 23 453A.35A, the first one hundred ~~seventeen~~ six million ~~seven~~
 118 24 ~~hundred ninety-six~~ sixteen thousand four hundred dollars.

DETAIL: This is a decrease of \$11,779,600 compared to the FY 2010 transfer.

118 25 Sec. 83. Section 692A.115, Code Supplement 2009, is amended
 118 26 to read as follows:

118 27 692A.115 Employment where dependent adults reside.
 118 28 1. A Unless authorized as provided in subsection 2, a sex
 118 29 offender shall not be an employee of a facility providing
 118 30 services for dependent adults or at events where dependent
 118 31 adults participate in programming and shall not loiter on the
 118 32 premises or grounds of a facility or at an event providing such
 118 33 services or programming.

CODE: Exempts certain residents of certain health care facilities, persons eligible for the home and community-based services waiver program, and participants in a Medicaid employment service program from the sex offender facility employee limitation.

118 34 2. An adult sex offender who is a patient or resident
 118 35 of a health care facility as defined in section 135C.1,
 119 1 a participant in a medical assistance program home and
 119 2 community-based services waiver program, or a participant in a

119 3 medical assistance state plan employment services as part of
119 4 the participant's habilitation plan shall not be considered to
119 5 be in violation of subsection 1.

119 6 Sec. 84. 2010 Iowa Acts, Senate File 2088, section 361,
119 7 subsection 2, if enacted, is amended to read as follows:
119 8 2. If a provision of this Act or another enactment of
119 9 the Eighty-third General Assembly repeals section 135.173
119 10 and creates the early childhood Iowa state board in new
119 11 Code chapter 256I, the early childhood Iowa state board
119 12 shall fulfill the responsibilities assigned to the early
119 13 childhood Iowa council in subsection 1 and the department of
119 14 ~~education~~ management shall propose corrective legislation for
119 15 the provisions of this division of this Act in accordance with
119 16 section 2.16 for consideration by the Eighty-fourth General
119 17 Assembly, 2011 Regular Session.

CODE: Changes the statutory reference in SF 2088 (Government Reorganization and Efficiency Act) to specify the DOM as the lead agency for Empowerment and not the Department of Education.

119 18 Sec. 85. 2010 Iowa Acts, Senate File 2088, section 399, as
119 19 enacted, is amended to read as follows:
119 20 SEC. 399. REPEAL. Sections 135.28 , ~~135N.1, 135N.2, 135N.3,~~
119 21 ~~135N.4, 135N.5~~ , 135N.6, and 142C.16, Code 2009, are repealed.

CODE: Repeals the provision in SF 2088 (Government Reorganization and Efficiency Act of 2010) that eliminates the Hemophilia Advisory Committee. This Bill reinstates the Committee and directs it to collaborate and coordinate meetings and staffing with the Center for Congenital and Inherited Disorders Advisory Committee in DPH.

Summary Data General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
Health and Human Services	\$ 1,170,143,950	\$ 1,122,676,782	\$ 954,340,874	\$ 954,340,874	\$ 954,340,874	\$ -168,335,908	
Unassigned Standings	<u>0</u>	<u>0</u>	<u>-11,779,600</u>	<u>-11,779,600</u>	<u>-11,779,600</u>	<u>-11,779,600</u>	
Grand Total	<u>\$ 1,170,143,950</u>	<u>\$ 1,122,676,782</u>	<u>\$ 942,561,274</u>	<u>\$ 942,561,274</u>	<u>\$ 942,561,274</u>	<u>\$ -180,115,508</u>	

Health and Human Services General Fund

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Senate Action FY 2011 (3)	House Action FY 2011 (4)	Final Action FY 2011 (5)	Final Action vs. Est Net 2010 (6)	Page and Line # (7)
<u>Aging, Dept. on</u>							
Aging, Dept. on							
Aging Programs	\$ 5,274,444	\$ 4,462,407	\$ 4,662,988	\$ 4,662,988	\$ 4,662,988	\$ 200,581	PG 1 LN 8
Total Aging, Dept. on	<u>\$ 5,274,444</u>	<u>\$ 4,462,407</u>	<u>\$ 4,662,988</u>	<u>\$ 4,662,988</u>	<u>\$ 4,662,988</u>	<u>\$ 200,581</u>	
<u>Public Health, Dept. of</u>							
Public Health, Dept. of							
Addictive Disorders	\$ 3,035,917	\$ 25,787,250	\$ 28,974,840	\$ 28,974,840	\$ 28,974,840	\$ 3,187,590	PG 3 LN 24
Healthy Children and Families	2,584,835	2,024,250	2,735,062	2,735,062	2,735,062	710,812	PG 6 LN 23
Chronic Conditions	2,169,991	2,480,612	3,597,313	3,597,313	3,597,313	1,116,701	PG 7 LN 28
Community Capacity	1,722,362	3,705,162	5,503,037	5,503,037	5,503,037	1,797,875	PG 8 LN 33
Elderly Wellness	9,095,475	7,511,201	8,045,779	8,045,779	8,045,779	534,578	PG 13 LN 19
Environmental Hazards	721,737	900,352	900,352	900,352	900,352	0	PG 13 LN 29
Infectious Diseases	2,795,546	1,467,595	1,475,095	1,475,095	1,475,095	7,500	PG 14 LN 2
Public Protection	3,115,215	3,212,987	3,287,987	3,287,987	3,287,987	75,000	PG 14 LN 8
Resource Management	1,194,098	956,265	956,265	956,265	956,265	0	PG 14 LN 34
Total Public Health, Dept. of	<u>\$ 26,435,176</u>	<u>\$ 48,045,674</u>	<u>\$ 55,475,730</u>	<u>\$ 55,475,730</u>	<u>\$ 55,475,730</u>	<u>\$ 7,430,056</u>	
<u>Human Services, Dept. of</u>							
General Administration							
General Administration	\$ 16,848,360	\$ 13,727,271	\$ 16,602,271	\$ 16,602,271	\$ 16,602,271	\$ 2,875,000	PG 56 LN 2
Field Operations							
Child Support Recoveries	\$ 15,082,461	\$ 12,078,414	\$ 11,877,414	\$ 11,877,414	\$ 11,877,414	\$ -201,000	PG 26 LN 20
Field Operations	69,234,591	56,729,548	56,207,624	56,207,624	56,207,624	-521,924	PG 55 LN 24
Total Field Operations	<u>\$ 84,317,052</u>	<u>\$ 68,807,962</u>	<u>\$ 68,085,038</u>	<u>\$ 68,085,038</u>	<u>\$ 68,085,038</u>	<u>\$ -722,924</u>	
Toledo Juvenile Home							
Toledo Juvenile Home	\$ 7,591,274	\$ 6,079,283	\$ 7,777,599	\$ 7,777,599	\$ 7,777,599	\$ 1,698,316	PG 40 LN 1
Licensed Classroom Teachers	0	103,950	103,950	103,950	103,950	0	PG 40 LN 17
Total Toledo Juvenile Home	<u>\$ 7,591,274</u>	<u>\$ 6,183,233</u>	<u>\$ 7,881,549</u>	<u>\$ 7,881,549</u>	<u>\$ 7,881,549</u>	<u>\$ 1,698,316</u>	
Eldora Training School							
Eldora Training School	\$ 12,045,087	\$ 9,646,008	\$ 11,001,062	\$ 11,001,062	\$ 11,001,062	\$ 1,355,054	PG 40 LN 6
Cherokee CCUSO							
Civil Commit. Unit for Sex Offenders	\$ 6,701,758	\$ 6,174,184	\$ 6,632,660	\$ 6,632,660	\$ 6,632,660	\$ 458,476	PG 55 LN 1

Health and Human Services General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
Cherokee							
Cherokee MHI	\$ 6,109,285	\$ 4,892,468	\$ 5,221,979	\$ 5,221,979	\$ 5,221,979	\$ 329,511	PG 49 LN 16
Clarinda							
Clarinda MHI	\$ 7,298,531	\$ 5,604,601	\$ 6,139,698	\$ 6,139,698	\$ 6,139,698	\$ 535,097	PG 49 LN 21
Independence							
Independence MHI	\$ 10,693,858	\$ 8,553,210	\$ 9,590,653	\$ 9,590,653	\$ 9,590,653	\$ 1,037,443	PG 49 LN 26
Mt Pleasant							
Mt Pleasant MHI	\$ 2,023,008	\$ 1,614,663	\$ 1,613,175	\$ 1,613,175	\$ 1,613,175	\$ -1,488	PG 49 LN 31
Glenwood							
Glenwood Resource Center	\$ 18,903,764	\$ 15,808,438	\$ 14,982,839	\$ 14,982,839	\$ 14,982,839	\$ -825,599	PG 50 LN 31
Woodward							
Woodward Resource Center	\$ 12,561,726	\$ 9,786,280	\$ 9,312,271	\$ 9,312,271	\$ 9,312,271	\$ -474,009	PG 50 LN 34
Assistance							
Family Investment Program/JOBS	\$ 42,060,901	\$ 31,133,430	\$ 31,735,539	\$ 31,735,539	\$ 31,735,539	\$ 602,109	PG 25 LN 7
Medical Assistance	593,302,330	610,096,134	412,546,344	412,546,344	412,546,344	-197,549,790	PG 27 LN 34
Health Insurance Premium Payment	570,924	457,210	457,210	457,210	457,210	0	PG 35 LN 14
Medical Contracts	13,953,067	12,286,353	9,683,668	9,683,668	9,683,668	-2,602,685	PG 35 LN 26
State Supplementary Assistance	18,332,214	16,457,833	18,259,235	18,259,235	18,259,235	1,801,402	PG 36 LN 6
State Children's Health Insurance	13,660,852	13,166,847	23,637,040	23,637,040	23,637,040	10,470,193	PG 37 LN 2
Child Care Assistance	40,483,732	32,547,464	32,325,964	32,325,964	32,325,964	-221,500	PG 37 LN 23
Child and Family Services	88,971,729	81,532,306	79,593,023	79,593,023	79,593,023	-1,939,283	PG 40 LN 29
Adoption Subsidy	33,656,339	31,395,307	31,856,896	31,856,896	31,856,896	461,589	PG 47 LN 5
Family Support Subsidy	1,907,312	1,522,998	1,167,998	1,167,998	1,167,998	-355,000	PG 48 LN 14
Conners Training	41,984	33,622	33,622	33,622	33,622	0	PG 48 LN 35
MI/MR/DD State Cases	13,067,178	10,295,207	11,295,207	11,295,207	11,295,207	1,000,000	PG 51 LN 35
MH/DD Community Services	18,017,890	14,211,100	14,211,100	14,211,100	14,211,100	0	PG 52 LN 27
Volunteers	105,717	84,660	84,660	84,660	84,660	0	PG 57 LN 26
Pregnancy Counseling	197,000	71,688	0	0	0	-71,688	
MH/DD Growth Factor	54,081,310	48,697,893	48,697,893	48,697,893	48,697,893	0	PG 78 LN 26
Medical Assistance, Hawk-i, Hawk-i Expansion	4,728,000	3,786,301	10,049,532	10,049,532	10,049,532	6,263,231	PG 86 LN 10
Total Assistance	<u>\$ 937,138,479</u>	<u>\$ 907,776,353</u>	<u>\$ 725,634,931</u>	<u>\$ 725,634,931</u>	<u>\$ 725,634,931</u>	<u>\$ -182,141,422</u>	
Total Human Services, Dept. of	<u>\$ 1,122,232,182</u>	<u>\$ 1,058,574,671</u>	<u>\$ 882,698,126</u>	<u>\$ 882,698,126</u>	<u>\$ 882,698,126</u>	<u>\$ -175,876,545</u>	

Health and Human Services General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Veterans Affairs, Dept. of</u>							
Veterans Affairs, Department of							
General Administration	\$ 1,199,329	\$ 960,453	\$ 960,453	\$ 960,453	\$ 960,453	\$ 0	PG 15 LN 18
War Orphans Educational Assistance	25,785	12,731	12,731	12,731	12,731	0	PG 16 LN 7
Veterans County Grants	585,599	990,000	900,000	900,000	900,000	-90,000	PG 16 LN 12
Total Veterans Affairs, Department of	<u>\$ 1,810,713</u>	<u>\$ 1,963,184</u>	<u>\$ 1,873,184</u>	<u>\$ 1,873,184</u>	<u>\$ 1,873,184</u>	<u>\$ -90,000</u>	
Veterans Affairs, Dept. of							
Iowa Veterans Home	\$ 14,391,435	\$ 9,630,846	\$ 9,630,846	\$ 9,630,846	\$ 9,630,846	\$ 0	PG 15 LN 25
Total Veterans Affairs, Dept. of	<u>\$ 16,202,148</u>	<u>\$ 11,594,030</u>	<u>\$ 11,504,030</u>	<u>\$ 11,504,030</u>	<u>\$ 11,504,030</u>	<u>\$ -90,000</u>	
Total Health and Human Services	<u>\$ 1,170,143,950</u>	<u>\$ 1,122,676,782</u>	<u>\$ 954,340,874</u>	<u>\$ 954,340,874</u>	<u>\$ 954,340,874</u>	<u>\$ -168,335,908</u>	

Unassigned Standings

General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Treasurer of State</u>							
Treasurer of State							
Health Care Trust Fund Decrease	\$ 0	\$ 0	\$ -11,779,600	\$ -11,779,600	\$ -11,779,600	\$ -11,779,600	PG 118 LN 11
Total Treasurer of State	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -11,779,600</u>	<u>\$ -11,779,600</u>	<u>\$ -11,779,600</u>	<u>\$ -11,779,600</u>	
Total Unassigned Standings	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ -11,779,600</u></u>	<u><u>\$ -11,779,600</u></u>	<u><u>\$ -11,779,600</u></u>	<u><u>\$ -11,779,600</u></u>	

Summary Data Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
Health and Human Services	\$ 556,051,804	\$ 460,158,816	\$ 508,027,935	\$ 508,027,935	\$ 508,027,935	\$ 47,869,119	
Grand Total	<u>\$ 556,051,804</u>	<u>\$ 460,158,816</u>	<u>\$ 508,027,935</u>	<u>\$ 508,027,935</u>	<u>\$ 508,027,935</u>	<u>\$ 47,869,119</u>	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Aging, Dept. on</u>							
Aging, Dept. on							
Seamless Computer Systemm-HCTA	\$ 0	\$ 200,000	\$ 0	\$ 0	\$ 0	\$ -200,000	
Elder Affairs Operations-SLTF	8,486,698	8,486,698	8,486,698	8,486,698	8,486,698	0	PG 65 LN 34
Total Aging, Dept. on	\$ 8,486,698	\$ 8,686,698	\$ 8,486,698	\$ 8,486,698	\$ 8,486,698	\$ -200,000	
<u>Public Health, Dept. of</u>							
Public Health, Dept. of							
Community Capacity-FRRF	\$ 0	\$ 500,000	\$ 0	\$ 0	\$ 0	\$ -500,000	
Healthy Aging-FRRF	0	700,000	0	0	0	-700,000	
Resource Management-FRRF	0	1,800,000	0	0	0	-1,800,000	
Addictive Disorders - UST	0	0	500,000	500,000	500,000	500,000	PG 76 LN 4
Chronic Conditions - UST	0	0	35,000	35,000	35,000	35,000	PG 76 LN 7
Public Protection - UST	0	0	100,000	100,000	100,000	100,000	PG 76 LN 14
Ad. Dis.-Substance Abuse Treatment-GTF	2,215,000	0	0	0	0	0	
Ad. Dis.-Gambling Treatment Prog.-GTF	5,068,101	0	0	0	0	0	
Ad. Dis.-Tobacco Use Prev.-HITT	6,928,265	0	0	0	0	0	
Ad. Dis.-Sub. Abuse Treatment-HITT	13,800,000	0	0	0	0	0	
Ad. Dis.-Sub. Abuse Prev. for Kids-HITT	1,050,000	0	0	0	0	0	
Chr. Con-PKU Assistance-HITT	100,000	0	0	0	0	0	
Chr. Con.-Iowa Stillbirth Eval.-HITT	26,000	0	0	0	0	0	
Chr. Con.-AIDS Drug Assist. Prog.-HITT	275,000	0	0	0	0	0	
Healthy Iowans 2010-HITT	2,509,960	0	0	0	0	0	
Epilepsy Education-HITT	100,000	0	0	0	0	0	
Addictive Disorders-HCTF	3,178,713	2,473,823	0	0	0	-2,473,823	
Healthy Children and Families-HCTF	664,262	444,217	0	0	0	-444,217	
Chronic Conditions-HCTF	1,158,187	899,297	0	0	0	-899,297	
Community Capacity-HCTF	2,775,635	2,448,456	0	0	0	-2,448,456	
Total Public Health, Dept. of	\$ 39,849,123	\$ 9,265,793	\$ 635,000	\$ 635,000	\$ 635,000	\$ -8,630,793	

Health and Human Services Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Senate Action FY 2011 (3)	House Action FY 2011 (4)	Final Action FY 2011 (5)	Final Action vs. Est Net 2010 (6)	Page and Line # (7)
Human Services, Dept. of							
General Administration							
FIP-TANF	\$ 26,101,513	\$ 28,584,403	\$ 24,376,341	\$ 24,376,341	\$ 24,376,341	\$ -4,208,062	PG 17 LN 12
Promise Jobs-TANF	13,334,528	13,026,796	12,411,528	12,411,528	12,411,528	-615,268	PG 17 LN 16
FaDDS-TANF	2,998,675	2,448,980	2,898,980	2,898,980	2,898,980	450,000	PG 17 LN 31
Field Operations-TANF	18,507,495	21,659,136	31,296,232	31,296,232	31,296,232	9,637,096	PG 18 LN 7
General Administration-TANF	3,744,000	3,744,000	3,744,000	3,744,000	3,744,000	0	PG 18 LN 9
Local Admin. Cost-TANF	2,189,830	1,094,915	0	0	0	-1,094,915	
State Day Care-TANF	18,986,177	18,986,177	16,382,687	16,382,687	16,382,687	-2,603,490	PG 18 LN 11
MH/DD Comm. Services-TANF	4,894,052	4,894,052	4,894,052	4,894,052	4,894,052	0	PG 18 LN 27
Child & Family Services-TANF	32,084,430	32,084,430	32,084,430	32,084,430	32,084,430	0	PG 18 LN 30
Child Abuse Prevention-TANF	250,000	125,000	125,000	125,000	125,000	0	PG 18 LN 32
Training & Technology-TANF	1,037,186	1,037,186	1,037,186	1,037,186	1,037,186	0	PG 19 LN 16
0-5 Children-TANF	7,350,000	6,850,000	6,350,000	6,350,000	6,350,000	-500,000	PG 19 LN 20
General Administration-DHSRF	0	1,500,000	0	0	0	-1,500,000	
Child Care Direct Assistance-TANF	8,900,000	6,845,000	0	0	0	-6,845,000	
FIP Emergency ARRA- TANF	0	0	17,678,279	17,678,279	17,678,279	17,678,279	PG 19 LN 31
Total General Administration	\$ 140,377,886	\$ 142,880,075	\$ 153,278,715	\$ 153,278,715	\$ 153,278,715	\$ 10,398,640	
Field Operations							
Field Operations-FRRF	\$ 0	\$ 680,596	\$ 0	\$ 0	\$ 0	\$ -680,596	
Field Operations-DHSRF	0	8,386,761	0	0	0	-8,386,761	
Field Operations - UST	0	0	2,340,000	2,340,000	2,340,000	2,340,000	PG 78 LN 8
Child Support Recoveries - UST	0	0	250,000	250,000	250,000	250,000	PG 77 LN 15
Total Field Operations	\$ 0	\$ 9,067,357	\$ 2,590,000	\$ 2,590,000	\$ 2,590,000	\$ -6,477,357	
Toledo Juvenile Home							
Toledo-DHSRF	\$ 0	\$ 836,515	\$ 0	\$ 0	\$ 0	\$ -836,515	
Toledo Juvenile Home - UST	0	0	200,000	200,000	200,000	200,000	PG 77 LN 19
Total Toledo Juvenile Home	\$ 0	\$ 836,515	\$ 200,000	\$ 200,000	\$ 200,000	\$ -636,515	
Eldora Training School							
Eldora-DHSRF	\$ 0	\$ 1,327,300	\$ 0	\$ 0	\$ 0	\$ -1,327,300	
Eldora Training School - UST	0	0	400,000	400,000	400,000	400,000	PG 77 LN 22
Total Eldora Training School	\$ 0	\$ 1,327,300	\$ 400,000	\$ 400,000	\$ 400,000	\$ -927,300	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
Cherokee CCUSO							
CCUSO-DHSRF	\$ 0	\$ 503,554	\$ 0	\$ 0	\$ 0	\$ -503,554	
Civil Commit. Unit for Sex Offenders - UST	0	0	800,000	800,000	800,000	800,000	PG 78 LN 6
Total Cherokee CCUSO	\$ 0	\$ 503,554	\$ 800,000	\$ 800,000	\$ 800,000	\$ 296,446	
Cherokee							
Cherokee MHI-DHSRF	\$ 0	\$ 673,209	\$ 0	\$ 0	\$ 0	\$ -673,209	
Cherokee MHI - UST	0	0	100,000	100,000	100,000	100,000	PG 77 LN 27
Total Cherokee	\$ 0	\$ 673,209	\$ 100,000	\$ 100,000	\$ 100,000	\$ -573,209	
Clarinda							
Clarinda MHI-DHSRF	\$ 0	\$ 804,256	\$ 0	\$ 0	\$ 0	\$ -804,256	
Clarinda MHI - UST	0	0	100,000	100,000	100,000	100,000	PG 77 LN 30
Total Clarinda	\$ 0	\$ 804,256	\$ 100,000	\$ 100,000	\$ 100,000	\$ -704,256	
Independence							
Independence MHI-DHSRF	\$ 0	\$ 1,177,799	\$ 0	\$ 0	\$ 0	\$ -1,177,799	
Independence MHI - UST	0	0	100,000	100,000	100,000	100,000	PG 77 LN 33
Total Independence	\$ 0	\$ 1,177,799	\$ 100,000	\$ 100,000	\$ 100,000	\$ -1,077,799	
Mt Pleasant							
Mt Pleasanat MHI-DHSRF	\$ 0	\$ 222,694	\$ 0	\$ 0	\$ 0	\$ -222,694	
Mt Pleasant MHI - UST	0	0	50,000	50,000	50,000	50,000	PG 78 LN 1
Total Mt Pleasant	\$ 0	\$ 222,694	\$ 50,000	\$ 50,000	\$ 50,000	\$ -172,694	

Health and Human Services Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Senate Action FY 2011 (3)	House Action FY 2011 (4)	Final Action FY 2011 (5)	Final Action vs. Est Net 2010 (6)	Page and Line # (7)
Assistance							
Medicaid Supplemental-SLTF	\$ 111,753,195	\$ 17,686,827	\$ 39,080,435	\$ 39,080,435	\$ 39,080,435	\$ 21,393,608	PG 67 LN 31
Nursing Facility Medicaid Sup. - QATF	0	0	13,900,000	13,900,000	13,900,000	13,900,000	PG 75 LN 1
Pregnancy Prevention-TANF	1,930,067	1,327,878	1,930,067	1,930,067	1,930,067	602,189	PG 18 LN 34
Medical Contracts-Pharm. Settlement	1,323,833	1,323,833	4,027,613	4,027,613	4,027,613	2,703,780	PG 68 LN 9
Broadlawns Hospital-ICA	46,000,000	46,000,000	51,000,000	51,000,000	51,000,000	5,000,000	PG 70 LN 32
State Hospital-Cherokee-ICA	3,164,766	0	0	0	0	0	
State Hospital-Clarinda-ICA	687,779	0	0	0	0	0	
State Hospital-Independence-ICA	3,146,494	0	0	0	0	0	
State Hospital-Mt Pleasant-ICA	2,000,961	0	0	0	0	0	
Medical Examinations-HCTA	556,800	556,800	556,800	556,800	556,800	0	PG 73 LN 18
Medical Information Hotline-HCTA	150,000	100,000	100,000	100,000	100,000	0	PG 73 LN 21
Health Partnership Activities-HCTA	900,000	600,000	600,000	600,000	600,000	0	PG 73 LN 24
Audits, Perf. Eval., Studies-HCTA	400,000	125,000	125,000	125,000	125,000	0	PG 73 LN 27
IowaCare Admin. Costs-HCTA	1,132,412	1,132,412	1,132,412	1,132,412	1,132,412	0	PG 73 LN 30
Dental Home for Children-HCTA	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	0	PG 73 LN 32
Mental Health Trans. Pilot-HCTA	250,000	0	0	0	0	0	
MH/DD Workforce Development-HCTA	500,000	50,000	50,000	50,000	50,000	0	PG 74 LN 1
Medical Assistance-HCTF	114,351,496	100,650,740	107,615,211	107,615,211	107,615,211	6,964,471	PG 27 LN 26
MH/MR/DD Growth-HCTF	7,553,010	0	0	0	0	0	
General Administration-HITT	274,000	0	0	0	0	0	
POS Provider Increase-HITT	146,750	0	0	0	0	0	
Other Service Providers Inc.-HITT	182,381	0	0	0	0	0	
Child and Family Services-HITT	3,786,677	0	0	0	0	0	
Broadlawns Admin-HCTA	230,000	290,000	290,000	290,000	290,000	0	PG 74 LN 8
Medical Contracts-HCTA	0	1,300,000	1,300,000	1,300,000	1,300,000	0	PG 74 LN 6
Medical Assistance-FRRF	0	6,237,173	0	0	0	-6,237,173	
Covering All Kids-FRRF	0	6,263,231	0	0	0	-6,263,231	
MH Risk Pool-FRRF	0	10,000,000	0	0	0	-10,000,000	
Child and Family Services-FRRF	0	2,500,000	0	0	0	-2,500,000	
Volunteer Health Care-FRRF	0	20,000	0	0	0	-20,000	
Health Insurance Pilot-FRRF	0	400,000	0	0	0	-400,000	
MH Property Tax Replacement-FRRF	0	10,480,000	0	0	0	-10,480,000	
MH/MR State Cases-DHSRF	0	325,430	0	0	0	-325,430	
MH PTRF Medical Asst.	624,000	0	0	0	0	0	
Child Care Subsidy - ARRA	0	0	18,120,842	18,120,842	18,120,842	18,120,842	
Family Support Subsidy - UST	0	0	100,000	100,000	100,000	100,000	PG 77 LN 10
Child and Family Services - UST	0	0	925,000	925,000	925,000	925,000	PG 76 LN 17
Nonparticipating Provider Reimb.-ICA	0	0	2,000,000	2,000,000	2,000,000	2,000,000	PG 73 LN 1
MI/MR/DD State Cases - UST	0	0	1,000,000	1,000,000	1,000,000	1,000,000	PG 78 LN 4
FQHC - ICA	0	0	6,000,000	6,000,000	6,000,000	6,000,000	PG 72 LN 17
Total Assistance	\$ 302,044,621	\$ 208,369,324	\$ 250,853,380	\$ 250,853,380	\$ 250,853,380	\$ 42,484,056	
Total Human Services, Dept. of	\$ 442,422,507	\$ 365,862,083	\$ 408,472,095	\$ 408,472,095	\$ 408,472,095	\$ 42,610,012	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Veterans Affairs, Dept. of</u>							
Veterans Affairs, Department of							
County Veterans Grant - Merchant Marine	\$ 0	\$ 0	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000	PG 16 LN 22
Total Veterans Affairs, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 90,000</u>	<u>\$ 90,000</u>	<u>\$ 90,000</u>	<u>\$ 90,000</u>	
<u>Inspections & Appeals, Dept. of</u>							
Inspections and Appeals, Dept. of							
Assisted Living/Adult Day Care-SLTF	\$ 1,339,527	\$ 1,339,527	\$ 0	\$ 0	\$ 0	\$ -1,339,527	
Assisted Living/Adult Day Care- MFA	<u>0</u>	<u>0</u>	<u>1,339,527</u>	<u>1,339,527</u>	<u>1,339,527</u>	<u>1,339,527</u>	PG 74 LN 25
Total Inspections & Appeals, Dept. of	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 0</u>	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Regents, Board of</u>							
Regents, Board of							
BOR UIHC - Expansion Population-ICA	\$ 35,969,365	\$ 47,020,131	\$ 49,020,031	\$ 49,020,031	\$ 49,020,031	\$ 1,999,900	PG 69 LN 31
BOR UIHC - ICA	27,284,584	27,284,584	27,284,584	27,284,584	27,284,584	0	PG 68 LN 19
UIHC IowaCare Physician - ICA	0	0	12,000,000	12,000,000	12,000,000	12,000,000	PG 70 LN 12
Total Regents, Board of	\$ 63,253,949	\$ 74,304,715	\$ 88,304,615	\$ 88,304,615	\$ 88,304,615	\$ 13,999,900	
<u>Iowa Finance Authority</u>							
Iowa Finance Authority							
Rent Subsidy Program-SLTF	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 0	PG 67 LN 14
Total Iowa Finance Authority	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 0	
Total Health and Human Services	\$ 556,051,804	\$ 460,158,816	\$ 508,027,935	\$ 508,027,935	\$ 508,027,935	\$ 47,869,119	

Summary Data

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
Health and Human Services	6,766.27	6,990.71	6,961.43	6,961.43	6,961.43	-29.28	
Grand Total	<u>6,766.27</u>	<u>6,990.71</u>	<u>6,961.43</u>	<u>6,961.43</u>	<u>6,961.43</u>	<u>-29.28</u>	

Health and Human Services

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Aging, Dept. on</u>							
Aging, Dept. on							
Aging Programs	38.11	37.50	36.00	36.00	36.00	-1.50	PG 1 LN 8
Total Aging, Dept. on	<u>38.11</u>	<u>37.50</u>	<u>36.00</u>	<u>36.00</u>	<u>36.00</u>	<u>-1.50</u>	
<u>Public Health, Dept. of</u>							
Public Health, Dept. of							
Addictive Disorders	4.36	18.00	18.00	18.00	18.00	0.00	PG 3 LN 24
Healthy Children and Families	11.00	14.00	14.00	14.00	14.00	0.00	PG 6 LN 23
Chronic Conditions	1.00	3.00	4.10	4.10	4.10	1.10	PG 7 LN 28
Community Capacity	10.19	21.00	21.00	21.00	21.00	0.00	PG 8 LN 33
Environmental Hazards	1.01	4.50	4.50	4.50	4.50	0.00	PG 13 LN 29
Infectious Diseases	4.52	5.00	5.00	5.00	5.00	0.00	PG 14 LN 2
Public Protection	125.49	130.00	130.00	130.00	130.00	0.00	PG 14 LN 8
Resource Management	9.06	10.00	10.00	10.00	10.00	0.00	PG 14 LN 34
Total Public Health, Dept. of	<u>166.62</u>	<u>205.50</u>	<u>206.60</u>	<u>206.60</u>	<u>206.60</u>	<u>1.10</u>	
<u>Human Services, Dept. of</u>							
General Administration							
General Administration	323.89	354.33	354.33	354.33	354.33	0.00	PG 56 LN 2
Field Operations							
Child Support Recoveries	501.72	520.00	520.00	520.00	520.00	0.00	PG 26 LN 20
Field Operations	2,007.13	2,000.13	2,000.13	2,000.13	2,000.13	0.00	PG 55 LN 24
Total Field Operations	<u>2,508.86</u>	<u>2,520.13</u>	<u>2,520.13</u>	<u>2,520.13</u>	<u>2,520.13</u>	<u>0.00</u>	
Toledo Juvenile Home							
Toledo Juvenile Home	120.83	125.00	125.00	125.00	125.00	0.00	PG 40 LN 1
Eldora Training School							
Eldora Training School	192.72	202.70	202.70	202.70	202.70	0.00	PG 40 LN 6
Cherokee CCUSO							
Civil Commit. Unit for Sex Offenders	86.16	105.50	105.50	105.50	105.50	0.00	PG 55 LN 1
Cherokee							
Cherokee MHI	198.95	205.00	205.06	205.06	205.06	0.06	PG 49 LN 16

Health and Human Services FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Senate Action FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	Final Action FY 2011 <u>(5)</u>	Final Action vs. Est Net 2010 <u>(6)</u>	Page and Line # <u>(7)</u>
Clarinda							
Clarinda MHI	102.50	114.95	114.95	114.95	114.95	0.00	PG 49 LN 21
Independence							
Independence MHI	279.47	287.85	287.85	287.85	287.85	0.00	PG 49 LN 26
Mt Pleasant							
Mt Pleasant MHI	107.50	116.44	116.44	116.44	116.44	0.00	PG 49 LN 31
Glenwood							
Glenwood Resource Center	921.07	947.24	947.24	947.24	947.24	0.00	PG 50 LN 31
Woodward							
Woodward Resource Center	751.86	737.16	737.16	737.16	737.16	0.00	PG 50 LN 34
Assistance							
Family Investment Program/JOBS	14.99	16.50	12.00	12.00	12.00	-4.50	PG 25 LN 7
Health Insurance Premium Payment	14.98	19.00	19.00	19.00	19.00	0.00	PG 35 LN 14
Medical Contracts	2.01	6.00	6.00	6.00	6.00	0.00	PG 35 LN 26
Child Care Assistance	2.01	0.00	1.00	1.00	1.00	1.00	PG 37 LN 23
Total Assistance	<u>33.99</u>	<u>41.50</u>	<u>38.00</u>	<u>38.00</u>	<u>38.00</u>	<u>-3.50</u>	
Total Human Services, Dept. of	<u>5,627.80</u>	<u>5,757.80</u>	<u>5,754.36</u>	<u>5,754.36</u>	<u>5,754.36</u>	<u>-3.44</u>	
<u>Veterans Affairs, Dept. of</u>							
Veterans Affairs, Department of							
General Administration	15.98	17.20	15.20	15.20	15.20	-2.00	PG 15 LN 18
Veterans Affairs, Dept. of							
Iowa Veterans Home	917.77	972.71	949.27	949.27	949.27	-23.44	PG 15 LN 25
Total Veterans Affairs, Dept. of	<u>933.74</u>	<u>989.91</u>	<u>964.47</u>	<u>964.47</u>	<u>964.47</u>	<u>-25.44</u>	
Total Health and Human Services	<u>6,766.27</u>	<u>6,990.71</u>	<u>6,961.43</u>	<u>6,961.43</u>	<u>6,961.43</u>	<u>-29.28</u>	